A Thematic Study by the IPCC
on the Public Order Events arising from the Fugitive Offenders Bill since June 2019 and the Police Actions in Response

Volume 4

Independent Police Complaints Council

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VOLUME 4

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CHAPTER 12

INCIDENT DAY – SATURDAY 31 AUGUST 2019

Introduction

12.1 This Chapter deals with the events that happened inside Prince Edward Station on the night of Saturday 31 August, which is widely known as the Prince Edward Station Incident and continues to be an assertion for staging Public Order Events (POEs). That night, police officers, with the use of OC Foam and batons, subdued and arrested 52 persons inside Prince Edward Station.[1] News footage captured some of the Police action. After the operation, a special train conveyed 45 Arrested Persons (APs), among whom seven were injured, to Lai Chi Kok Station, where they were then taken to Princess Margaret Hospital, Caritas Medical Centre and Kwai Chung Police Station respectively. Some members of the public were highly critical of the Police action that night, condemning the Police for using force indiscriminately inside Prince Edward Station. There were claims on websites popularly visited by protesters that the Police had killed several people inside Prince Edward Station and that the authorities had covered it up.

12.2 In this Chapter, the IPCC will examine what happened that night. The events which happened throughout the day of 31 August attracted four Reportable Complaints (RCs) and 19 Notifiable Complaints (NCs) (see paragraphs 12.36 – 12.38 below for details). These complaints are investigated by CAPO and each RC will be monitored by the IPCC assigning observer(s) to attend interview(s) and observe the collection of evidence conducted by CAPO. The purpose of this Chapter is to enable the IPCC to inform itself of the facts of the incidents giving rise to these complaints and the context under which these complaints took place, so that the IPCC is in a better position to undertake its function under section 8(1)(a) of the IPCC Ordinance in monitoring and reviewing the investigations of the individual complaints by CAPO. At the same time, the opportunity is taken to make recommendations to the Commissioner of Police (Commissioner) under section 8(1)(c) of the IPCC Ordinance so that complaints from future Police operations may be prevented.

POEs Leading to the Events on Saturday 31 August 2019

12.3 Following the incidents on Sunday 11 August, the protests continued to rage on with increasing levels of violence as time went on.

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[1] The Government (2019-11-13). Legislative Council's reply on 831 incident. Retrieved from https://www.info.gov.hk/gia/general/201911/13/P2019111300525.htm?fontSize=1

12.4 The incident on 11 August which was accorded the most prominence in media reports and traffic on the internet was the incident in which a female sustained injuries in the eye allegedly caused by the Police outside Tsim Sha Tsui Police Station on the night of 11 August. The female, however, refused to cooperate with the Police to investigate what caused her eye injury and even refused to let the Police have sight of her medical report. As a result, the Police obtained the document by means of a search warrant. Following the court ruling over her judicial review application against Police action, on 22 January 2020, the female filed an appeal. As at 29 February 2020, a hearing date has yet to be fixed.

12.5 Also, on 12 August, thousands of protesters gathered at the Hong Kong International Airport (Airport) alleging "police brutality", with signs proclaiming "Evil Police - An Eye for An Eye" alleging the female's injured eye was caused by the Police.[2] They swamped the Departure Hall, blocking passengers' access to the departure gates, resulting in cancellation of all remaining departing and arriving flights after 16:00 that day.

12.6 Other reported incidents on 11 August propelled further protest action. On 12 August, about a hundred people gathered in Tai Koo Station to vent grievance against police operation at the station on 11 August. They surrounded station staff and control room of the station to demand for explanation as to MTR Corporation Limited (MTRC)'s handling of the incident during and after the event.

12.7 Each POE was widely reported in the media (both press and internet) and there was much internet traffic discussing the incidents, condemning the Police, and calling for protest action.

12.8 On 13 August, some protesters gathered at the Airport and blocked the passageways to the restricted area.[3] Passengers were unable to go through the immigration procedures. The Airport Authority suspended all check-in service for departure flights after 16:30. As there were many protesters and passengers in the Departure Hall, disputes between them arose. In the evening, some protesters even tied up a male passenger whom they suspected to be an undercover police officer. Around 23:00, the Police accompanied a number of ambulance officers to go inside the Airport to take the male to hospital. After the ambulance officers had rescued the male, many protesters attacked the police officers guarding at the airport entrance. The officers defended themselves with OC Foam and batons. One officer was so fiercely

[2] HK01 (2019-08-12). 機管局與航空公司將視情況於明早 6 時重編航班. Retrieved from https://www.hk01.com/社會新聞/362757/機場集會-直擊-機管局與航空公司將視情況於明早 6 時重編航班

[3] Airport Authority Website (2019-08-13). Check-in Service for Departure Flights Suspended due to Public Assembly at HKIA , Retrieved from https://www.hongkongairport.com/en/media-centre/press-release/2019/pr_1348

assaulted with his baton snatched. He pulled out his revolver to ward off the protesters attacking him.[4] Shortly after, a reporter was seen being beaten and tied up by protesters at the Airport. On the following day, the Airport Authority said it had been granted an interim injunction order from the High Court (on 13 August) for restraining protesters from attending any protests or public events outside areas designated by them.[5]

12.9 Reaction within the medical profession to the alleged shooting of the female in the eye was strong. On 12 August, over one hundred medical staff at Pamela Youde Nethersole Eastern Hospital held a peaceful rally to protest against police "use of excessive force".[6] On 13 August, health care staff in seven other hospitals held another rally. They wore black masks and bandaged their right eye. On 14 August, the staff of two other hospitals joined the demonstration. On the same day, protesters gathered outside Police Stations in Sham Shui Po, Tai Po and Tin Shui Wai to mark the Ghost Festival, burning joss paper (used in offerings to the dead) and shone laser beams at these stations. The protest in Sham Shui Po led to police firing tear gas for dispersal.

12.10 On 17 August, Hong Kong Professional Teachers' Union launched a rally at Chater Garden and a procession covered by a Letter of No Objection (LoNO) from there to the Government House[7], to support students and protesters arrested by the Police.[8] On the same day, another group of protesters took to the street to "Reclaim Hung Hom and To Kwa Wan", where they deviated from the approved route and occupied roads along their way in Hung Hom to Mong Kok. Protesters blocked Nathan Road and laid siege to Mong Kok Police Station. Some protesters on a footbridge near Mong Kok Road hurled miscellaneous objects at police officers and police vehicles underneath, including a litterbin.

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4 RTHK (2019-08-13). Police storm airport as protesters hold 'suspects'. Retrieved from https://news.rthk.hk/rthk/en/component/k2/1474483-20190813.htm

5 RTHK (2019-08-14). Airport Authority confirms injunction order. Retrieved from https://news.rthk.hk/rthk/en/component/k2/1474538-20190814.htm
HK01 (2019-08-14). Continuation of the interim injunction order, as varied, was granted to Airport Authority on 23 August until trial or further order of the court. 與示威者爆衝突 警擎左輪佩槍解圍 首現致命武器. Retrieved from https://www.hk01.com/突發/363494/機場集會-與示威者爆衝突-警擎左輪佩槍解圍-首現致命武器

6 HK01 (2019-08-13). 東區醫院逾百醫護靜默抗議 批警使用過度武力. Retrieved from https://www.hk01.com/社會新聞/362819/811 衝突-東區醫院逾百醫護靜默抗議-批警使用過度武力

7 Hong Kong Professional Teachers' Union. 「守護下一代 為良知發聲」教育界 817 大遊行 和平表達訴求. Retrieved from https://www.hkptu.org/61744

8 Ming Pao (2019-08-17). 教師遮打花園遊行至禮賓府 教協:2.2 萬人參與 警:高峰 8300 人. Retrieved from https://news.mingpao.com/ins/港聞/article/20190817/s00001/1566016420127/【逃犯條例】教師遮打花園遊行至禮賓府-教協-2-2 萬人參與-警-高峰 8300 人

12.11 On Sunday 18 August, Civil Human Rights Front (CHRF) organised a procession from Victoria Park.[9] According to CHRF, 1.7 million people took part but the Police had a lesser count of 128 000 at peak time.

12.12 On 20 August, about a hundred people gathered in Tai Koo Station to again vent grievance against police operation at the station on 11 August. They surrounded station staff and control room of the station to demand for explanations as to MTRC's handling of the incident during and after the event.[10]

12.13 On 21 August, about a thousand protesters assembled at Yuen Long Station to protest in commemoration of the Yuen Long Incident on 21 July.[11] The POE started with a silent sit-in inside the station. Smaller groups of protesters went out to set up barriers on roads outside the station. When police officers took action to clear away the barriers, these protesters retreated into Yuen Long Station. The Police formed a cordon line at a distance from the station, while protesters barricaded station entrances with objects including metal fences and rubbish bins and let down the roller shutters to bar entry. Inside Yuen Long Station, some protesters discharged foam from fire extinguishers, while others used a firehose to wet the floor and poured liquid soap on the floor, which would cause obstruction to the Police's entry to the station. They sprayed paints on walls and on CCTV cameras inside the station. They removed the stands and bins inside the station and damaged other amenities including an escalator, before they took special trains arranged by MTRC to leave Yuen Long Station while the Police was on guard outside the station.

12.14 From nighttime of 22 August till early hours on 23 August, about 200 protesters assembled in Kwai Fong Station to protest, again in apparent commemoration of the use of tear gas at Kwai Fong Station on 11 August. Some of the protesters verbally abused some MTR station staff and shone laser lights at them, sprayed graffiti both inside and outside the station. MTRC stopped train service at Kwai Fong Station at around 00:30 on 23 August. The protesters eventually left in the early morning of 23 August.

12.15 On 23 August, the MTRC announced that "*[a]s there will be upcoming protest activities, depending on the actual circumstances, the Corporation will make necessary*

[9] HK01 (2019-08-19). 維園一帶有 170 萬人 警高峰期 12.8 萬. Retrieved from https://www.hk01.com/政情/365191/818 集會-民陣-維園一帶有 170 萬人-警-高峰期 12-8 萬

[10] Hong Kong Economic Journal (2019-08-21). 逾百市民太古站內聚集 促港鐵交代警方站內執法情況. Retrieved from https://www2.hkej.com/instantnews/current/article/2226091/逾百市民太古站內聚集+促港鐵交代警方站內執法情況

[11] Ming Pao (2019-08-21). 防暴警元朗站外佈防 西鐵安排特別車載乘客離開元朗站. Retrieved from https://news.mingpao.com/ins/港聞/article/20190821/s00001/1566388054020/【元朗襲擊-多圖-短片】防暴警元朗站外佈防-西鐵安排特別車載乘客離開元朗站

regulations on station and train operations. If fights, vandalism or other acts of violence occur, and under high risks or emergency situations, train service to and from the concerned stations may be stopped immediately, and / or the station may be closed, with little or no prior notice. The Police may need to enter stations to take suitable law enforcement action when necessary."[12] At around 22:00 on the same day, MTRC announced that they had obtained an interim injunction order[13] to restrain people from obstructing or interfering with the operation of the railway, damaging any property at any station or using any threatening language or behaving in a riotous or disorderly manner at any station.[14]

12.16 On Saturday 24 August and Sunday 25 August, public meetings and processions with LoNO were held in Kwun Tong District and Kwai Tsing District respectively. On 24 August, large numbers of protesters walked in Kowloon Bay area to protest against the installation of smart lampposts which they believed to be used for covert surveillance.[15] Some protesters used an electric saw to pull down a smart lamppost before others proceeded to Ngau Tau Kok Police Station, outside which they clashed with some police officers. Since then protesters dubbed MTRC the "Railway of the Communist Party", accusing it of taking sides to help suppress protesters travelling on MTR on protest days.

12.17 On 25 August, a large crowd of protesters took part in a march from Kwai Chung to Tsuen Wan[16], with some protesters setting up barricades with water-filled barriers and bamboo sticks to block various roads in Tsuen Wan. Some protesters threw petrol bombs, bricks and other hard objects at police officers who in return fired tear gas to disperse them. For the first time, the Police used the Specialised Crowd Management Vehicle (SCMV), but whilst it had some temporary effect in dispersing the crowd, the violent protests continued. At nightfall, some protesters attacked shops and a mahjong house in Yi Pei Square, Tsuen Wan, where protesters attacked police officers with long metal poles. At this point, these protesters were violent and outnumbered the police officers at the scene. They were about to attack the officers with various kinds of self-made weapons when, to protect themselves, several police

12 MTRC (2019-08-23). Condemnation of Vandalism at MTR Stations. Retrieved from https://www.mtr.com.hk/archive/corporate/en/press_release/PR-19-049-E.pdf

13 Stand News (2019-08-23). 葵芳站今晚九時關閉 市民圍堵 港鐵獲禁制令. Retrieved from https://www.thestandnews.com/politics/葵芳站今晚九時關閉-港鐵-針對有人損車站罵員工-考慮申禁制令/
MTRC. Interim injunction order to restrain unlawful and wilful acts on the railway. Retrieved from http://www.mtr.com.hk/en/customer/main/interim-injunction-order.html

14 Continuation of the interim injunction order, as varied, was granted to MTRC on 30 August until trial or further order of the court.

15 The Government. "Multi-functional Smart Lampposts" Pilot Scheme. Retrieved from https://www.ogcio.gov.hk/en/our_work/strategies/initiatives/smart_lampposts/

16 Epoch Times (2019-08-25). 荃葵青遊行 港人冒雨上街頭. Retrieved from https://hk.epochtimes.com/news/2019-08-25/87025041

officers drew their revolvers. One of them fired a warning shot into the air, enabling him and his colleagues to make an escape from the scene. That night, persistent violent protests spread to different locations including Kwun Tong, Sham Shui Po, Tsim Sha Tsui and Wong Tai Sin. On that day, the Police fired 145 tear gas rounds and 50 rubber rounds.

12.18 Unlike previous occasions, MTRC decided to close stations and stop services in advance of the public meetings in East Kowloon on 24 August and in Tsuen Wan and Kwai Fong area on 25 August after communication with the Government and the Police.

12.19 Starting from 25 August, hundreds of protesters surrounded Shum Shui Po Police Station for five consecutive days.

12.20 In this atmosphere, the events of 31 August unfolded. A Chronology of the POEs of this day appears as Annex to this Chapter.

General Picture of the POEs on Saturday 31 August 2019

12.21 On 31 August 2014, the Standing Committee of the National People's Congress made a Decision Concerning the Election of the Chief Executive and Legislative Council (LegCo) of the HKSAR.[17] The Occupy Movement in 2014 followed this Decision.

12.22 In commemoration of the 2014 POEs against this Decision, CHRF planned to organise an assembly at Chater Garden on the afternoon of 31 August to be followed by a march to Liaison Office of the Central People's Government (LOCPG). For public safety reasons, the Police refused CHRF's applications for LoNO. The refusal of the LoNO was widely publicised in the media. Nonetheless, the Police found on the internet that the protesters would proceed despite police objection and the internet traffic suggested attacks on police officers and damage to different Government premises with a high level of violence. According to a news article[18], democratic LegCo Member(s) asked citizens to "Be Water" and to avoid being arrested by the Police.

12.23 On 31 August, the Police assigned 262 officers to defend Central Government Complex (CGC) and 4 287 officers to respond to contingencies in multiple locations (see Map

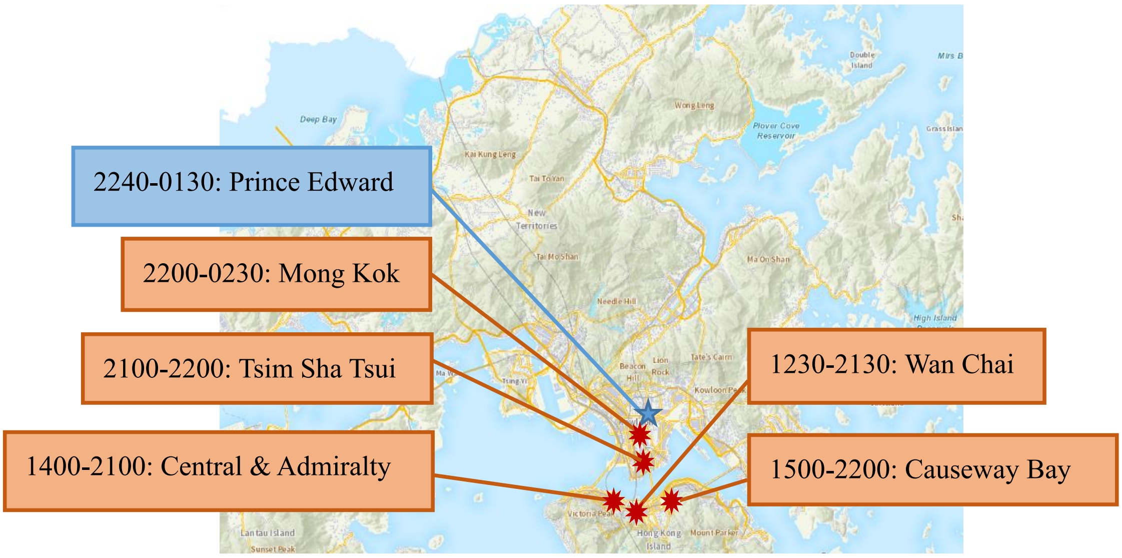
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[17] Hong Kong Legal Information Institute. Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016. Retrieved from https://www.hklii.org/eng/hk/legis/instrument/A212/decision.html

[18] CitizenNews (2019-08-13). 「網民 831 自由行、祈禱遊行　警：按環境執法　泛民：Be Water」, Retrieved from https://www.hkcnews.com/article/23223/831-泛民-反對通知書-23228/網民 831 自由行、祈禱遊行-警%EF%BC%9A 按環境執法-泛民%EF%BC%9Abe-water

12-1). In the morning, they put up water-filled barriers around CGC and closed Connaught Road West, Des Veoux Road West and other major roads on Hong Kong Island. SCMVs were prepared for deployment and a number of plainclothes officers were tasked for arrest action against violent protesters.

12.24 There were violent protests in multiple locations on 31 August.



Map 12-1: Multiple confrontations on 31 August
(*Source of base map: Lands Department*)

12.25 After 12:00 on 31 August, over a thousand protesters gathered at Southorn Playground in Wan Chai and assembled at Chater Garden in Central. Around 14:00, those at Chater Garden marched off to the LOCPG, while some 100 protesters gathered outside Police Headquarters, setting up barricades on Arsenal Street and Lockhart Road. At 15:00, the protesters at Southorn Playground walked towards Central, occupying Connaught Road and Hennessy Road of Wan Chai section. By this time, some protesters had already blocked Hennessey Road in Causeway Bay with traffic cones, rubbish bins, mills barriers and other large objects.

12.26 At around 17:30, thousands of protesters occupied Harcourt Road in Admiralty. Some of the protesters used mills barriers and dismantled railings to block the road while others threw bricks and petrol bombs at the police officers and set off fires at the water-filled barriers outside CGC.[19] The Police fired tear gas to disperse the crowds and deployed an SCMV to discharge water with blue dye from behind the water-filled barriers. The clashes in Admiralty

[19] RTHK (2019-08-31). 示威者多次投擲汽油彈 警方水馬陣內帳篷一度著火. Retrieved from https://news.rthk.hk/rthk/ch/component/k2/1477996-20190831.htm

were intense and violent. Such protests subsequently spread in the direction of Causeway Bay and Tin Hau on Hong Kong Island and Tsim Sha Tsui and Mong Kok in Kowloon. In the late evening, violent protesters set fire to objects they had heaped on Hennessy Road outside SOGO Department Store.[20] Around 21:00, dozens of protesters confronted several plainclothes police officers in Victoria Park and assaulted them with iron rods and umbrellas, even attempting to snatch their revolvers. As a result, two plainclothes officers fired two warning shots to stop the violent protesters.[21] Eight people were arrested in that incident.

12.27 In Kowloon, the situation in Tsim Sha Tsui deteriorated from around 21:00 onwards. Some protesters caused obstruction at Canton Road, set fire at different spots along Nathan Road and threw petrol bombs at the police cordon line near Humphreys Road.[22] The Police responded with tear gas rounds in attempts to drive the protesters off Nathan Road. Some protesters fled to Yau Ma Tei and Mong Kok, continuing to cause obstruction along Nathan Road. Some of them entered Mong Kok Station to damage the facilities inside with iron bars and hammers. By the time the Police arrived, some of them had already left by train or different exits. The Police believed that some of them had fled to Prince Edward Station.

12.28 It was in this context that the Prince Edward Station Incident took place.

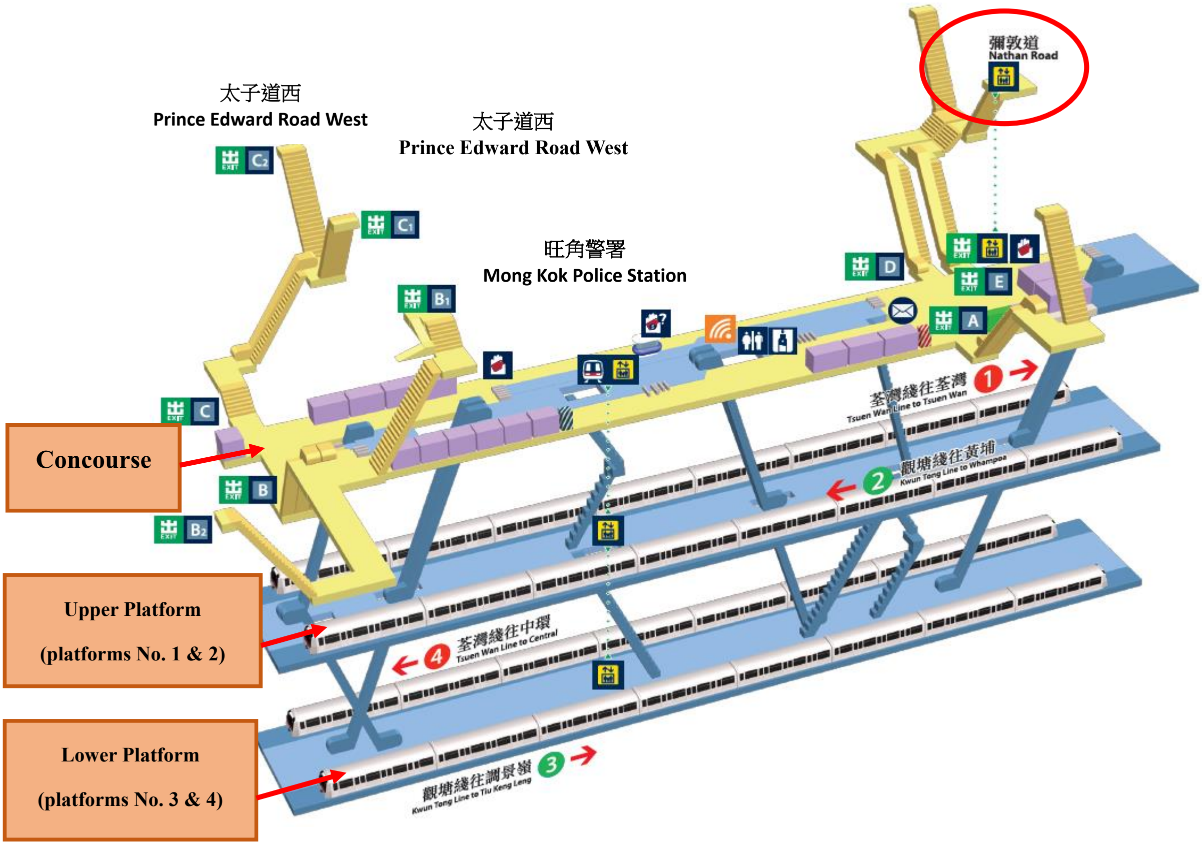
12.29 Prince Edward Station is underground at the junction of Nathan Road and Prince Edward Road where Mong Kok Police Station, which had been a frequent target of attack by the protesters, is located. It has seven exits, two of which, Exits B1 and E, were pertinent to the incident that night. Exit B1 is at the corner of Nathan Road and Prince Edward Road right outside the main entrance of Mong Kok Police Station. Exit E, installed with a lift going directly down to the concourse, is about 400 meters from Exit B1 diagonally north across Nathan Road, on Playing Field Road, west of Nathan Road. The station being a cross-platform interchange point on the Kwun Tong Line and the Tsuen Wan Line has three levels underground. The concourse is on the first level, No. 1 and 2 platforms are on the second level known as the Upper Platform and No. 3 and 4 platforms on the third level known as the Lower Platform. The events on 31 August mainly took place on the Lower Platform. The trains on platform No. 3 heading to the direction of Tiu Keng Leng and the trains on platform No. 4 heading to the direction of Central (see Graphic 12-1 and Map 12-2).

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20 HK01 (2019-08-31). 【8.31 遊行・全日總覽】警方：港經歷浩劫 太子站行動屬適當武力. Retrieved from http://www.hk01.com/政情/369452/8-31 遊行-全日總覽-警方-港經歷浩劫-太子站行動屬適當武力

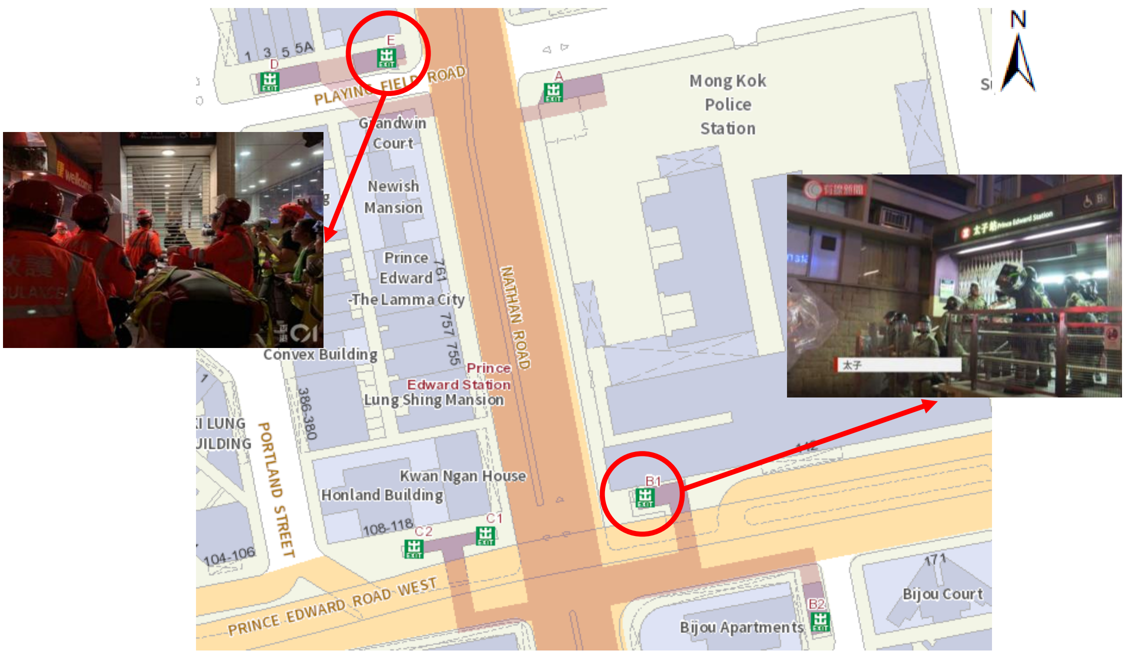
21 Ming Pao Daily News (2019-08-31). 【逃犯條例・831 銅鑼灣・短片】消息：警維園開兩槍實彈維園地面遺彈殼. Retrieved from https://news.mingpao.com/ins/逃犯條例/article/20190831/special/1567232542076

22 Sing Tao Daily (2019-08-31). 【逃犯條例】速龍小隊廣東道推進 示威者擲燃燒彈. Retrieved from http://std.stheadline.com/instant/articles/detail/1081064/即時-香港-逃犯條例-速龍小隊廣東道推進-示威者擲燃燒彈



Graphic 12-1: Layout of Prince Edward Station

(*Source of base graphic: MTRC*)



Map 12-2: Map showing all exits of Prince Edward Station

(*Source of base map: Lands Department*) (*Source of image: (left) HK01 and (right) Cable TV*)

12.30 Around 22:45, 999 Console received reports from individuals of a dispute between a group of protesters and some passengers on a train that had stopped at platform No. 3 of Prince Edward Station. Soon afterwards, MTRC made another report to 999 about smoke seen coming out from the train. The Police immediately deployed officers to go into the station. The Police took arrest action inside the station. At 23:14 and 00:09, two batches of ambulance officers were seen outside the Exits B1 and E. Ambulance officers did not enter the station until 23:30 and 00:23 respectively, apparently after discussions with the Police, as police officers were seen guarding Exits B1 and E. Within hours of this event, the internet was flooded with rumours that the Police had killed people inside the station and then disposed of the bodies. These accusations were accompanied by rumours, also on the internet, that the number of casualties had been improperly altered to hide the alleged killings. Large numbers of protesters then gathered outside the station, calling for the MTRC to publish CCTV footage inside the station, and some called for the appointment of an independent inquiry. Many others began to mourn with flowers and various traditional Chinese offerings. A shrine of sorts was established outside the station and continued to be in place from time to time.

12.31 On 31 August, a total of six police officers were injured. The Hospital Authority (HA) at various hospitals treated a total of 46 persons related to the incidents on 31 August.

12.32 As at 29 February 2020, the Police had arrested 69 persons (58 male and 11 female) in connection with the incidents on 31 August 2019 for various offences, including “Unlawful Assembly, “Possession of Offensive Weapon” and “Unlawful Detention”. Among them, two persons had been charged in Court pending trial, 67 were still under police investigation.

12.33 The Police action in the news footage inside Prince Edward Station, especially the use of force in effecting arrests, attracted widespread criticism of the Police for its use of force. What was reported by the media and alleged on the internet traffic to have happened inside the Prince Edward Station on 31 August has given rise to the following concern:

(a) Police entering Prince Edward Station to take enforcement action;
(b) Police and MTRC closing Prince Edward Station Exits;
(c) Police enforcement and arrest action inside Prince Edward Station;
(d) Police request for a special train to take APs to Lai Chi Kok Station;
(e) Police communication and coordination with Fire Services Department (FSD); and
(f) Police handling of rumours and speculations.

Sources of Information

12.34 For the purpose of its study of the events of 31 August, the IPCC has scrutinised the following materials:

(a) Documents provided by the Police in respect of police deployment and operation, prior intelligence received, police weapons used and casualties involved on 31 August;

(b) Footage recorded by the Police pertaining to the operation on 31 August. A total of three video clips of 38 minutes;

(c) News reports and news footage produced by different television companies, newspapers and media outlets. A total of 252 news reports[23] and 112 video clips of 117 hours;

(d) Photos and footage provided by the public in response to the IPCC's appeal;

(e) Information provided by MTRC[24], including 107 CCTV footage clips of 161 hours, and 27 audio recording of 20 minutes;

(f) MTRC press releases on the events on 31 August;

(g) Information provided by FSD;

(h) Information provided by FSD in a press conference held on 12 September in relation to the Prince Edward Station Incident;

(i) Records of LegCo Meeting held on 13 November relating to the Prince Edward Station Incident; and

(j) Information provided by the HA on the number of persons receiving medical treatment as a result of the incident on 31 August.

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23 This figure counts the paper media, while the IPCC has also viewed mainstream online media/sources including but not limited to HK01, Stand News, Hong Kong Free Press, and Hong Kong In-media etc.

24 On 18 Mar 2020, the High Court ordered the MTRC to hand over CCTV footage from Prince Edward and Lai Chi Kok Stations to a student who sought damages from the Police for alleged assault. Retrieved from https://www.hongkongfp.com/2020/03/18/breaking-court-rules-mtr-must-release-cctv-footage-student-caught-prince-edward-station-police-raid/

<u>The Events</u>

12.35 What happened at Prince Edward Station on 31 August and the subsequent events may be described in five parts, namely:

(I) Prior events at Mong Kok Station and Prince Edward Station;
(II) Police action inside Prince Edward Station;
(III) Fire officers and ambulance officers entering Prince Edward Station;
(IV) Arrangement of a special train to Lai Chi Kok Station; and
(V) Police handling of rumours and speculations.

Part I – Prior Events at Mong Kok Station and Prince Edward Station

<u>Mong Kok Station</u>

<u>Two Separate Incidents Happened inside this Station:</u>

Occupation of the Station by Protesters Who Then Fled

➢ At 22:05, some violent protesters stormed Mong Kok Station and damaged the facilities there by tearing off cable, smashing CCTV cameras and windows of the control room and even breaking into the office of the station. At 22:06, about 100 protesters gathered at Mong Kok Station (source: HKPF). The protesters also damaged the CCTV cameras with umbrellas, and smashed the glass panel of the control room (see Image 12-1 and 12-2) and ticketing machines. They eventually stormed into the control room. (source: media reports). At 22:30, MTRC requested police assistance. When police officers arrived, the protesters had already left the concourse. Some of the fleeing protesters (unknown in number) left by train (source: HKPF). It should be noted that the station right after Mong Kok on Kwun Tong Line heading Tiu Keng Leng direction is Prince Edward.





Image 12-1 and 12-2: Protesters broke Mong Kok Station Control Room glass panel
(*Image source: TVB*)

Activities in Platforms No. 3 and 4 of Prince Edward Station Arising from Incoming Train from Mong Kok

- From 22:42 to 22:53, protesters on board a Tsuen Wan bound train at Prince Edward Station disputed with several passengers in a train compartment at platform No. 3 (source: HKPF). The train doors could not be closed after passengers alighted and boarded the train (source: MTRC).

- Media footage also showed the situation on board the same train coming in from Mong Kok Station. On the train, for unknown reason, there was a dispute between a middle-aged male passenger and some protesters. When the train was approaching Prince Edward Station, a protester slapped that male passenger on his face (see Image 12-3). The brawl continued when the train reached Prince Edward Station. The protesters got

off the train and stayed close to the train door apparently to argue with that male passenger and a few other middle-aged male passengers inside the train compartment. After a while, some protesters went into the compartment and attacked the male passengers with umbrellas (According to the Police, the violent protesters assaulted the passengers with sticks, umbrellas, sling shots and fire extinguishers). Those male passengers fought back. One of the male passengers took out and swung a hammer, and then the protesters came out of the train compartment and threw water bottles and umbrellas at male passengers inside (see Image 12-4). The fight stopped for a brief moment. Later, several protesters dashed into the train compartment and attacked the male passenger who had been slapped and was now being targeted. That male passenger fought back but he was outnumbered by the protesters. The protesters came out of the train compartment. Someone (believed to be one of the protesters) discharged a fire extinguisher into the train compartment from the platform. That train compartment was then filled with smoke (source: media reports).



Image 12-3: A protester slapped a male passenger on his face inside a train compartment
(*Image source: SocRec*)



Image 12-4: Protester throwing an umbrella into the train compartment
(*Image source: SocRec*)

- The media footage also showed that a lady standing on the platform recorded the incident and the acts of the protesters with her phone. There is no indication that she was involved in the dispute or the fight. She was however also assaulted by the protesters (source: media report).

- According to the Police, the violent protesters assaulted the passengers inside the train compartment with umbrellas, iron poles and a fire extinguisher. The incident subsequently developed into a fight (source: HKPF).

- At 22:44, at Prince Edward Station, the driver of the train which was about to depart platform No. 3 noticed that he could not close the train doors. He then noted that there

was a dispute between two groups of people in a train compartment. At 22:45, MTRC made a report to the Police. At 22:47, the passenger alarm on the train was activated (source: MTRC).

- Between 22:49 and 23:15, 999 Console received over 50 reports about what had happened inside Prince Edward Station, including the assault incident, protesters throwing smoke bombs, protesters besieging the control room at the platform and chaos inside Prince Edward Station (source: HKPF). MTR staff also noticed smoke emitting from the train (It is believed that the smoke was discharged by the protesters from the fire extinguisher). Someone also activated the alarm on another train that had stopped at platform No.4 on the other side. The trains at both platforms No.3 and 4 remained at the two platforms without departing the station (source: MTRC).

- At around 22:50, media footage captured a large group of protesters coming out from a compartment of the train from Mong Kok and began taking off their black clothing and changing into clothes of different colours (see Image 12-5 and 12-6) at the far corner of the platform, disguising themselves as ordinary passengers. Some people held open umbrellas to shield the protesters taking off their clothes (source: media reports).





Image 12-5 and 12-6: Some protesters were changing clothes on the platform of Prince Edward Station (*Image source: TVB*)

Part II – Police Action inside Prince Edward Station

- At 22:50, the Police deployed officers to go into Prince Edward Station (source: HKPF). Between 22:50 to 22:52, 999 Console received reports from citizens about seeing smoke coming out from a train compartment and people being injured (source: FSD). Around the same time, the Police requested MTRC to suspend all trains at Prince Edward Station. At 22:53, MTRC decided to evacuate Prince Edward Station and broadcast an announcement asking all passengers to leave immediately (source: MTRC). The Police requested all reporters to leave the station for the reason that it was a crime scene where the Police had to take investigative action (source: media reports).

- At 22:53, police officers entered Prince Edward Station via Exit C2 (source: MTRC). Around 200 police officers commanded by a senior superintendent were deployed to deal with the incident inside the station (source: HKPF).

- Some of Police action and protesters' acts inside Prince Edward Station were recorded on media footage as follows:

  Police Chasing after Protesters and Making Arrests

  (a) At 22:56, police officers arrived at the Lower Platform and carried out operations on both trains (see Image 12-7) (source: MTRC). Some police officers chased after a few protesters on platform No. 4 and in the train compartments (see Image 12-8). The police officers subdued a number of protesters on the platform. One protester was seen trying to escape, and ran past some police officers, but was finally subdued onto the ground by the police officers with the use of batons (source: media reports).



Image 12-7: Police officers arrived at platform No. 3 and 4
[The CCTV cameras at platform No. 4 were damaged starting from 22:52]
(*Image source: MTRC CCTV*)

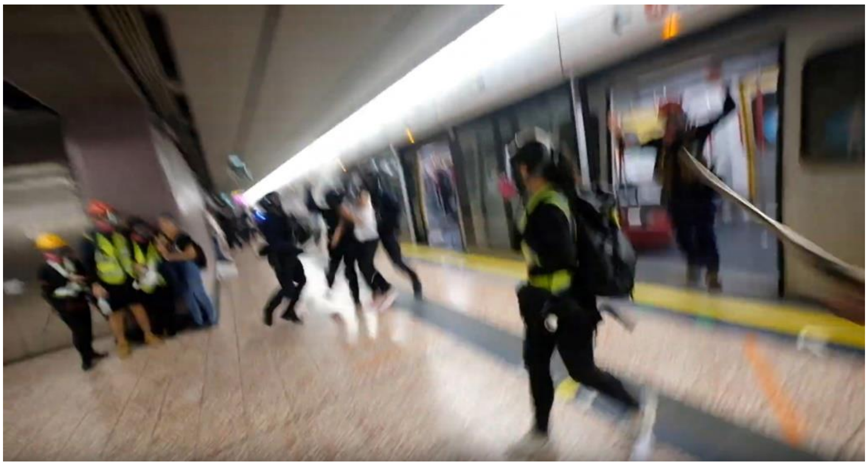


Image 12-8: Police officers were chasing protesters, who kept running away and putting up resistance
(*Image source: Pakkin Leung@Rice Post*)

(b) The police officers arrested a number of people, some of whom wore black T-shirts and protective outfits with protective pads on shoulders, elbows and other body parts. Some people had sustained injuries, some with bleeding (source: media reports).

(c) Police officers on arrival at the Lower Platform spotted some protesters in the train compartment. The officers asked them to leave the train but the protesters did not comply (see Image 12-9) (source: media reports).

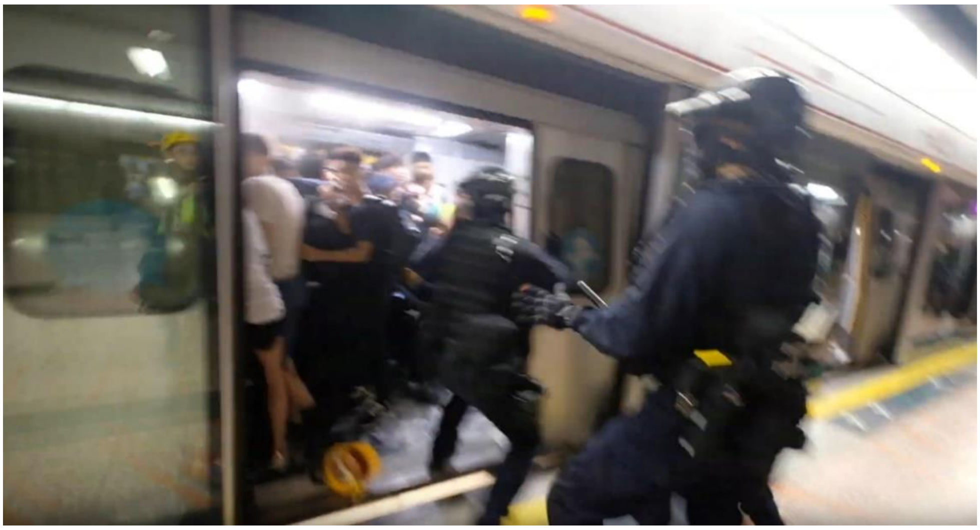


Image 12-9: Police officers asked some of the protesters to come out from the train compartment but those protesters did not comply
(*Image source: Pakkin Leung@Rice Post*)

(d) There were other people on the platform and the train at platform No. 3 was full of people. Some people dressed like reporters (with reporter helmets, light reflection vests and cameras) also appeared on the platform taking photos or videos. The police officers did not use force on any of these people (source: media reports).

Protesters Helping an Arrested Protester to Escape on Platform No. 4

(a) After a number of protesters had been subdued onto the floor by the police officers, a female walked to those protesters and asked them one by one for their names and HKID Card numbers. They accordingly gave her their particulars. It is believed the information would help identify who had been arrested so that assistance could be made available to them. It is not known who that lady was because she did not appear on the footage. Only her voice could be heard on the video (source: media reports).

(b) A male in black shirt who was being subdued on the ground tried to put up resistance before police officers could secure his hands behind his back with a plastic zip tie. He jumped up and ran (see Image 12-10 and 12-11). Some police officers tried to stop him. Almost at the same time, a person in green shirt who also wore a black mask hit the police officers with an umbrella to stop them from getting hold of that male (see Image 12-12). Another person pushed the police officers away. The police officers reacted with their batons, but he

jumped onto a nearby stationary escalator crowded with people (some of whom with masks) and disappeared (see Image 12-13). The person in green shirt then ran off down the platform. During the chaotic situation, the male in black shirt also ran away to a direction that could not be captured by the camera. Police officers used OC Foam and batons in the episode (source: media reports).





Image 12-10 and 12-11: A male already subdued on the ground took the opportunity to escape when a lady asked for his name and HKID Card number

(*Image source: SocRec*)

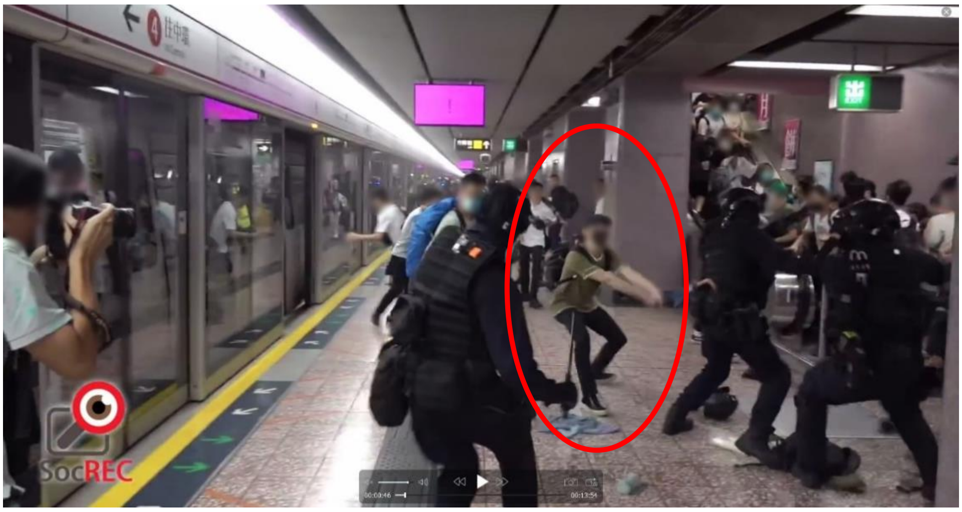


Image 12-12: A male in green shirt hit the police officer with an umbrella

(*Image source: SocRec*)



Image 12-13: A male jumped onto a stationary escalator crowded with people
(*Image source: SocRec*)

Police's Search on People Believed to Be Protesters

(c) One of the compartments of the train at platform No. 3 was crowded with passengers. Several police officers spotted among the passengers, four persons wearing helmets, masks, light reflection vests, black T-shirts and black trousers, and carrying backpacks. The police officers repeatedly asked them to get off the train but they did not do so. The police officers did not get on the train to take action but waited on the platform. There was a brief moment of stand-off. Eventually, the four persons came out from a train compartment (see Image 12-14). The police officers then conducted a search on them. It is not known whether the police officers took any arrest action afterwards (source: media reports).



Image 12-14: Police officers requested four persons who were believed to be protesters to get off a train for a search
(*Image source: SocRec*)

Handling APs at Platform No. 3

- A group of APs, most of them young people, were detained at the bottom of an escalator at the far end of platform No. 3. There were many of them. Some squatted on the floor facing the wall or the side of the escalator. Some held their hands on the top of their heads and a few had their hands tied behind their back with plastic zip ties (source: media reports). All APs were then arranged to the end of platform No. 3 near the first train compartment heading towards Tiu Keng Leng direction (source: HKPF).

Police Action inside Train Compartments

(a) Police officers attempted to take enforcement action inside a train compartment at platform No. 4. One police officer pointed a rubber baton launcher at the train compartment and another police officer discharged OC Foam into it. Some protesters inside the compartment opened umbrellas to cover themselves (see Image 12-15). Some pointed their umbrellas at the police officers. Despite Police action, the protesters did not leave the train (source: media reports).

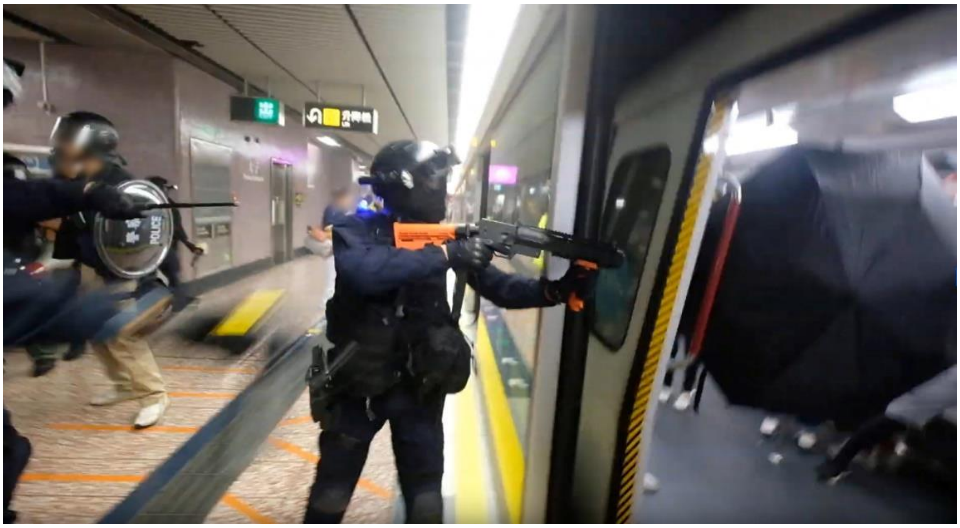


Image 12-15: Police officers instructing the protesters to come out from the train compartment
(*Image source: Pakkin Leung@Rice Post*)

(b) In another episode, several police officers entered the train compartment at platform No. 4 to take enforcement action (see Image 12-16). Some protesters resisted, striking the police officers with their umbrellas and the officers used batons and OC Foam. The scene was quite chaotic (source: media reports). More than ten violent protesters attacked the officers with umbrellas and other

sharp objects (source: HKPF).



Image 12-16: Police officers taking enforcement action inside the train compartment
(*Image source: Pakkin Leung@Rice Post*)

(c) Many of the protesters retreated to the end of the train compartment and opened their umbrellas to form a barrier, while the clash between some of the protesters and a few police officers was taking place. Two young men and two women in masks, who were in close proximity to the protesters, were cowering on the ground (see Image 12-17), apparently in a state of panic under the chaotic situation. At one time, the police officers discharged OC Foam into the train from outside the train compartment. The man in front put up his hands. The police officers did not arrest them or any person but instead got off the train. It could be seen that the train doors closed and opened several times, suggesting that the train was about to depart. Eventually the train doors were closed. The police officers remained on guard at the platform whereas some people inside the train pointed their fingers at them seemingly scolding them (source: media reports[25]).

[25] CCTV footage provided by the MTRC did not capture the Police's use of force / how the protesters were subdued on the platform clearly, and the situation inside the train compartments at the material time. Some CCTV footage was not available because the CCTV cameras were not functioning at that time.



Image 12-17: Two young men and two women were cowering on the ground inside a train compartment
(*Image source: Pakkin Leung@Rice Post*)

(d) According to the Police, while conducting sweeping at platforms No. 3 and 4 of Prince Edward Station, the officers exercised observation and professional judgement and successfully located some mobsters, who disguised themselves as ordinary passengers and scattered around the MTR platforms, including some hiding inside the train compartments at platform No. 4 (Tsuen Wan Line to Central), i.e. opposite to platform No. 3. The police officers were immediately attacked by more than ten violent protesters with umbrellas and sharp-edged objects. In response, the Police used minimum force necessary to control and subdue them, including the use of police batons and OC Foam. During the confrontation, officers successfully put a couple (a male and a female) under control inside a train compartment at platform No. 4. However, two other violent protesters (a male and a female) were spotted hiding behind the couple and strongly resisted arrest with force. Officers thus used minimum force necessary to control those two protesters. However, at that juncture, the doors of the train began to close unexpectedly. Police officers would be outnumbered by the protesters if they were trapped in the compartment. The officers therefore immediately retreated from the train compartments for their safety. The train doors then closed. Subsequently, the train departed the platform (source: HKPF).

- According to MTRC, at 23:04, the train doors eventually closed and the train at platform No. 4 departed in the direction of Yau Ma Tei (source: MTRC). *[According to the*

Police, the train departed at 23:02]

- At 23:05, the Police requested MTRC to stop the train from departing Prince Edward Station. They had requested MTRC earlier at 22:52 to stop the train service at the station but MTRC did not do so (source: HKPF).

- At 23:09, the train which carried some of the protesters skipped Mong Kok Station (upon police request) and arrived at Yau Ma Tei Station (source: HKPF). At 23:10, MTRC suspended the train services on the Kwun Tong Line and the Tsuen Wan Line (source: MTRC).

- By the time police officers reached Yau Ma Tei Station, most of the passengers and protesters had left the train. Police officers eventually arrested ten persons on the train including a couple cowering on the train floor as seen on the news footage (source: HKPF).

- According to the Police, at 23:41, more than a hundred people were gathering outside Prince Edward Station. At 23:45, over 200 protesters with gear were going to Mong Kok Police Station from the junction of Nathan Road and Argyle Street. At 00:36, about 800 violent protesters had gathered near Prince Edward Station (source: HKPF).

- Police arrest action continued inside Prince Edward Station until 00:55. During the incident, the Police arrested a total of 63 persons, including one in Mong Kok area, 52 in Prince Edward Station and ten in Yau Ma Tei Station. Petrol bombs, laser pointers, catapults, steel marbles, helmets, respirators and other equipment were found on them (source: HKPF).

- Police arrested the protesters at different locations inside Prince Edward Station. For the purpose of easy handling and treatment by ambulance and police officers, the Police arranged for all the APs to stay at the end of platform No. 3 heading Tiu Keng Leng direction (see Image 12-18 and 12-19) (source: HKPF).





Image 12-18 and 12-19: Police arranging the APs to the end of platform No. 3
(*Image source: MTRC CCTV*)

Part III – Fire Officers and Ambulance Officers Entering Prince Edward Station

<u>Exit B1 – First and Second Batch of Fire Officers Entered</u>

➢ At 23:01, in response to a citizen report that smoke was seen inside the station, the first batch of fire officers arrived at Exit B1 (source: FSD).

➢ According to the CCTV footage at Exit B1, some police officers arrived at Exit B1 almost at the same time as the fire officers. The gate was closed at that time and no one was guarding at the exit (source: MTRC CCTV). It was believed that the gate was actually locked, because according to FSD, they had to cut the lock in order to enter (source: FSD).

- According to the CCTV footage at Exit B1, at 23:06, the gate of Exit B1 opened and 13 fire officers entered the station (More than 20 police officers entered the station as well) (source: HKPF and MTRC CCTV) .

- At 23:12, fire officers inside Prince Edward Station reported to FSD Console that there was no fire (source: FSD).

- According to the CCTV footage at Exit B1, at 23:20, another six fire officers entered the station via Exit B1 (source: HKPF and MTRC CCTV). By then, a total of 19 fire officers were inside the station. According to FSD, the fire officers had the "First Responders" (先遣急救員) qualification and could provide first aid to the injured persons. Their mission was to provide prompt basic life support to patients before the arrival of ambulance officers to increase their survival rate (source: FSD). Some police officers closed the gate and stood guard at the exit after the entry of the fire officers (source: MTRC CCTV).

Exit B1 – A Probationary Ambulance Officer (PAO) Entered

- According to FSD, at 23:14 (8 minutes after the fire officers entered), in response to a report from Police Console that people were injured inside the station, the first batch of ambulance officers (one PAO and his team) arrived at Exit B1. According to the FSD, the police officers on guard at Exit B1 told the PAO that no one had been injured inside the station (source: FSD and media reports).

- The PAO stayed at Exit B1 and was seen communicating with a police officer at Exit B1 (see Image 12-20) (source: FSD and media reports). According to FSD, at 23:30, the PAO entered the station by himself (see Image 12-21) (source: FSD). The CCTV at Exit B1 captured the moment (time of the MTRC CCTV is 23:35) when the PAO entered Exit B1 (source: HKPF and MTRC CCTV).



Image 12-20: PAO communicated with a police officer at Exit B1
(*Image source: RTHK*)



Image 12-21: PAO entered the Station via Exit B1
(*Image source: RTHK*)

- After entering the station, the PAO conducted a brief headcount of the injured persons inside the station. At 23:46, he reported to FSD Console that there were about ten to 15 injured persons. At 00:01, the PAO revised the number of casualties to nine. At 00:15, he further changed it to ten. At 01:02, he gave a final count of seven, all APs. According to the information given by FSD at a press conference on 12 September, the PAO revised the number a few times because the situation inside the station was chaotic and the injured persons were not found or kept at the same location, but spotted at different places (source: FSD).

Exit E – Three Ambulance Officers Entered

- At 23:17, in response to a call made by a citizen to the FSD Console that some people had been assaulted inside Prince Edward Station, three ambulance officers arrived at Exit E (source: FSD). The CCTV at Exit E captured at 23:20 the ambulance officers entering the station with a stretcher before MTR staff closed the gate at Exit E (source: FSD and MTRC CCTV).

- According to the CCTV footage at Exit E, at 23:34, 17 minutes later, the three ambulance officers appeared inside Exit E with a female on the stretcher, accompanied by four police officers. MTRC staff opened the gate for the departure of the fire officers with the female on the stretcher (source: HKPF and MTRC CCTV).

Exit E – Third Batch of Four Fire Officers Entered

- At 23:34, the third batch of fire officers (four in total) entered the station, just as the three ambulance officers came out with a female on the stretcher from Exit E (source: HKPF and MTRC CCTV).

Exit E – 19 Ambulance Officers Entered

- According to FSD, ambulance officers proceeded to Exit E and tried to enter because there was a lift located in that exit (source: FSD).

- According to the CCTV footage at Exit E, at 00:09, a number of ambulances arrived at Exit E where the gate was closed (source: MTRC CCTV). According to FSD, media reports and news footage, at 00:15, ambulance officers at Exit E were told by a police officer that no one was injured inside the station (see Image 12-22) (source: FSD and media reports). At one point, a fire officer came up from the station and told the ambulance officers outside the gate that there were injured persons inside (see Image 12-23) (source: media reports).



Image 12-22: Ambulance officers outside Exit E of Prince Edward Station
(*Image source: HK01*)



Image 12-23: A fire officer told two ambulance officers that
there were injured persons inside Prince Edward Station
(*Image source: RTHK*)

- From the CCTV footage, a police officer intermittently appeared at the gate and communicated with a MTR staff there (source: MTRC CCTV). At 00:23, the MTR staff opened the gate for 19 ambulance officers to enter the station (source: HKPF and MTRC CCTV).

Part IV – Arrangement of a Special Train to Lai Chi Kok Station

- The Police arrested a total of 52 persons at Prince Edward Station. Around 23:20, the Police escorted seven of them directly to Kwai Chung Police Station by police vehicles (source: HKPF).

- According to the Police, at 00:36, about 800 violent protesters had gathered outside Prince Edward Station. The Police assessed that it was unsafe to take APs out of Prince Edward Station, and so decided to ask MTRC to arrange a special train to take the remaining 45 APs, seven of whom were injured, to Lai Chi Kok Station, where they could escort the APs respectively to hospitals and a police station (source: HKPF).

- At 00:54, MTRC arranged a special train on police request to run from Prince Edward Station to Lai Chi Kok Station (source: MTRC). At 01:23, a special train carrying 45 APs, seven of them injured, left Prince Edward Station for Lai Chi Kok Station (source: MTRC and HKPF).

- At 01:28, the special train arrived at Lai Chi Kok Station (source: MTRC). From 01:35 to 01:55, the seven injured APs were escorted to Princess Margaret Hospital and Caritas Medical Centre respectively, and the 38 others to Kwai Chung Police Station (source: MTRC, FSD and HKPF)

Part V – Police Handling of Rumours and Speculations

- While the Police was still taking enforcement action inside Prince Edward Station, posts and messages began to appear on the internet, such as LIHKG, HKGOLDEN, DISCUSS and YouTube, claiming that the Police had indiscriminately used force on people inside the station. Starting from the small hours on Sunday 1 September, speculations that someone might have been killed inside Prince Edward Station started sprouting on the internet. Netizens queried the genuineness of the number of casualties inside the station given by FSD. From then on, allegations that people had been killed by the Police in Prince Edward Station began to burgeon on the internet and in the days that followed, these allegations seemed to have taken root, as people began to believe them and started bringing flowers and various traditional Chinese offerings to a shrine of sorts outside Exit E at Prince Edward Station. The following is a chronology of the

appearance of some of the posts and messages on various internet platforms and how the Government, the Police, FSD and MTRC responded to those messages, some of which were unsupported claims.

31 August

- At 22:59, a television station had a live broadcast of what was happening inside Prince Edward Station (see Image 12-24) (source: media reports and live video footage). Posts and messages began to appear on the internet.



Image 12-24: Live broadcast showing police officers taking enforcement inside train compartment
(Image source: TVB)

- At 23:01, while the Police was still taking action inside the station, a post entitled "cls 黑警走左入太子站列車 見人就打" on LIHKG (Translation: Crazy, after getting into Prince Edward Station, police officers hit whoever they saw.). In the messages that followed this post, some netizens criticised the Police for using excessive force and beating people indiscriminately on the platform and inside the train compartment similar to the attack by those people dressed in white in 721 Yuen Long Incident (see Image 12-25) (source: LIHKG).



Translation

7. Police officers assaulted and arrested civilians inside Mong Kok (sic) MTR Station, which was violent and an abuse of power.

8. Police officers rushed into the train compartment to hit people vigorously, like what the people dressed in white had assaulted others in the 721 Yuen Long Incident.

Image 12-25 (*Image source: LIHKG*)

➢ At 23:18, a post entitled "太子站 警察發動恐襲 必要向國際求救" appeared on LIHKG (Translation: The Police launched terrorist attack in Prince Edward Station. Must seek international assistance.) (see Image 12-26).



Translation
Right away! Seek international assistance immediately. Uniformed police officers attacked citizens in the MTR indiscriminately. Hong Kong is in an inhumane condition. Must let everyone know about this.

Image 12-26 (*Image source: LIHKG*)

Sunday 1 September

➢ At 02:19, a posts entitled "太子站啲傷者係咪仲未出黎" (Translation: Have the injured persons still not come out from Prince Edward Station?) appeared on LIHKG (source: LIHKG). The post creator commented that "無記者影入面做咩左都無人知" (Translation: No reporter video recorded or took photos inside the station. No one would know what had been done inside.). At 02:21, a netizen put up a message to this post saying "現場有傳打死左人，

未 FC！！！！！” (Translation: People at the scene claimed that someone had been beaten to death. Haven’t fact checked yet.”) (see Image 12-27). This was the first time speculation of people might have died inside Prince Edward Station emerged on the internet.



Image 12-27 (*Image source: LIHKG)*

- Around 03:00, the Police (Police Public Relations Branch (PPRB)) held a stand-up briefing to give an overview of the POE situation on 31 August. Regarding Police action inside Prince Edward Station, the police representative stated that officers had used their professional judgement to distinguish protesters from regular passengers. The PPRB officer did not give details of the casualties inside Prince Edward Station (source: media report). The Police did not say whether anyone had died in the station. Nor did the reporters ask about it.

- At 08:16, a post entitled “政府唔好再包庇黑警濫用暴力，應該盡快拉晒呢班黑警去坐監” (Translation: The Government should no longer allow the Police to use violence, should take the triad police officers to jail as soon as possible) appeared on the DISCUSS forum. The post creator claimed that the police officers were terrorists and assaulted the people inside the train (source: DISCUSS).

- At 16:37, a post entitled “冇人覺得封太子站好奇怪？” (Translation: Anyone felt the closure of Prince Edward Station strange?) appeared on LIHKG. The post creator commented that “琴晚傷者冇人知去左邊,依家仲要封埋站,入面 0 消息,難道真係有人死左?” (Translation: Last night, no one knew where the injured had been taken to. Now, the station is even closed. No news from inside. Is it really that someone had died?) In the messages that followed this post, some netizens suspected that the Police had killed people inside the station, saying “似打死人” (Translation: Seems people were beaten to death), “我信死左人” (Translation: I believe that someone has died) (source: LIHKG). More speculation of people being killed came to light.

- At 17:15, a post entitled “封站係因為黑狗太子恐襲 死左幾個市民 依加要執手尾” (Translation: The reason for closing station was that the Police had killed

several citizens, so the Police had to tidy up the scene) appeared on LIHKG. The post creator stated that "若果不能毀滅 就開始整理現場 想造成死者係因為自己失誤或被示威者襲擊而身亡" (Translation: If the evidence could not be destroyed, the scene had to be tidied up to create an impression that the deceased died of their/his own mistakes or attacks by protesters.) (source: LIHKG). This appears to be the first time bare speculative allegations with no factual support affirming that people were killed appeared on the LIHKG. LIHKG postings were heavily watched and it would not be surprising that this posting would have gone viral on the internet web very quickly.

- Around 18:00, Kowloon West Region (Crime) of the Police gave a briefing to the media regarding the arrest operations mounted inside Prince Edward Station on 31 August. There was no mention whether any person had died during police enforcement (source: media report).

- At 20:19, a post entitled "嚴重懷疑尋晚太子死咗人" (Translation: Seriously suspecting that someone had died at Prince Edward last night) appeared on LIHKG. The post creator stated "結果封站封一日。真毀屍滅跡" (Translation: The station ended up being closed for one day. Undoubtedly destroying evidence) (source: LIHKG).

- In the afternoon, the Hong Kong Journalists Association (HKJA) and the Hong Kong Photographers Association issued a statement condemning the Police for obstructing news coverage inside Prince Edward Station. According to the statement, "*…many reporters and photographers were expelled during their reporting and filming without any reasonable explanation. The closing of the Prince Edward Station barred any members of the press from entering the station for reporting, hence the lack of media monitoring on the police conduct inside the station.*" (source: HKJA).

2 September

- At 01:29, a post entitled "正式宣佈八月三十一日，一位香港人被黑警活生生打死" (Translation: Formally announce that a Hong Kong person was beaten to death by police officers on 31 August.) appeared on LIHKG. The post creator, referring to a live broadcast video (see Image 12-28), claimed that a protester was unconscious when being subdued by a police officer on the platform and said that the protester was actually dead at that time (source: LIHKG).



Image 12-28 (*Image source: LIHKG, the video was originally from Apple Daily*)

➢ At 02:26, a post entitled "太子站死了幾個黑衣示威者，醫護說出姓名的已有兩個，求 FC" (Translation: Several protesters in black outfits died inside Prince Edward Station. Health care workers gave the names of at least two people. Please fact check it) appeared on HKGOLDEN. The post creator showed a screen capture of a Facebook page (see Image 12-29), which stated that two persons (with two Chinese names given) were killed inside Prince Edward Station and their dead bodies had been sent to mortuary (source: HKGOLDEN).



<u>*Translation*</u>
"Please check with the mortuary of the hospital.
My friend's relative, a medical worker, claimed that several protesters were beaten to death in Prince Edward Station Incident last night. Two of them named "XXX" and "XXX" (Name deleted by the IPCC) had been sent to the mortuary. The news are blocked. Please do a fact check. Hope this is not real."

Image 12-29 (*Image source: HKGOLDEN, originally from Facebook*)

- In the morning (on 2 September), the Chief Secretary for Administration (CS), together with the Secretary for Security, the Secretary for Transport and Housing, and the Secretary for Education held an inter-departmental press conference in relation to the POEs that happened over the weekend on 31 August and 1 September. A reporter asked CS to comment on the action of the Police in Prince Edward Station and to respond to the alleged death incident inside the station. CS replied that there was no death report in connection with the incidents on 31 August according to the information from HA (source: The Government). This was the first occasion that a Government official rebutted the claim that someone had died in the Prince Edward Station Incident.

- At 12:19, a post entitled "幫手出:831 前線救護爆料" (Translation: Help to disseminate: 831 frontline medical staff give information) appeared on LIHKG. The post creator claimed that he was an ambulance officer who was on duty on 31 August and went to Prince Edward Station. He had heard that the number of casualties that initially reported to FSD control room was ten. However, only seven injured persons were sent to the hospitals at the end. In the messages that followed this post, some netizens queried why three injured persons were missing. Had these three injured persons died? "點解有三個消失", "消失咗 3 個去咗邊 係咪死咗?" (Translation: Why did three people disappear? Where were they taken to? Are they dead?) (source: LIHKG).

- At 13:46, a post entitled "831 太子站死人消息" appeared on LIHKG. (Translation: Information on those dead at 831 Prince Edward Station) The post creator posted a photo with a message. A person who claimed to be an HA staff (not named) said that a dead body in connection with the Prince Edward Station Incident had been located at Kwong Wah Hospital (see Image 12-30) (source: LIHKG).



Translation
"…The corpse is now at the mortuary of Kwong Wah Hospital…the HA senior management issued a false statement to cover up the incident…Welcome to do a fact check on it…"

Image 12-30 (*Image source: LIHKG*)

- At the regular Police press conference at 16:00, a police spokesman stated that on 31 August, the police officers had taken enforcement action inside Prince Edward Station based on their intelligence and their professional judgement at the scene. He added that when police officers took enforcement action inside the station, they were attacked by protesters with umbrellas and hard objects. In response, the officers used proportionate force in defence. He said that there was no instance of death that night (source: media report). This was the first time that the Police refuted the claim that someone had died on 31 August. A FSD representative who was present at the press conference provided an overview of their operations on 31 August and stated that seven injured persons were sent to the hospitals, but did not say whether the number of casualties had been revised over time.

3 September

- At 12:35, another post update on "831 太子死亡事件整合(3.9.2019) 及行動討論" (Translation: 831 Prince Edward death incident and operational discussion.) appeared on LIHKG. The post creator posted a "Missing Person Notice" on LIHKG purporting to look for missing persons (see Image 12-31). The messages stated that the two persons did not leave the Prince Edward Station that evening, and asked people to provide more information on the whereabouts of the two missing persons. Messages following the post claimed that some APs had died (source: LIHKG).



<u>*Translation*</u>

"*Missing Person*

The person in this picture lost consciousness after being beaten by police officers. The Police then requested to cordon off the station and expel reporters and medical workers therefrom. No injured person was seen leaving the station afterwards..."

Image 12-31 (*Image source: LIHKG*)

- At 16:00, the Police stated at a regular press conference that there was no case of death in the Prince Edward Station incident.

4 September

- A netizen uploaded a video clip entitled "跟進 831 太子站懷疑警方打死人事件" (Translation: Follow up on 831 Prince Edward Station Incident, suspecting that the Police had killed someone.) onto YouTube. The video contained media footage, which covered the Prince Edward Station Incident. The person who made the video added textual descriptions, including that (i) there was proof that someone had been killed inside the station; (ii) the Police did not allow ambulance

officers to enter Prince Edward Station; (iii) some netizens demanded MTRC to release the complete CCTV footage to uncover the truth; and (iv) the Police had unreasonably beaten protesters.' (source: YouTube).

5 September

- ➢ At the 16:00 regular Police press conference, reporters questioned why police officers used batons and OC Foams on innocent citizens inside train compartments. A police representative replied that reporters should not only focus on a clip that had lasted for several seconds, and reiterated that the officers were taking enforcement action in response to the violence at the material time. He repeated that no protesters had been beaten to death in the Prince Edward Station Incident (source: media report).

- ➢ At 23:13, a post entitled "831 太子站極可能真係有人死 絕非坊間流言" (Translation: Very likely that someone had died inside Prince Edward Station on 831. It is not a rumour) was created on HKGOLDEN. It was mentioned in the post that according to a Chief Inspector of Police (CIP), one protester was dead inside the Prince Edward Station that evening (see Image 12-32) (source: HKGOLDEN).


時事台 [安已不] 831太子站極可能真係有人死 絕非坊間流言

第 1 頁

#0 | 7 個月前

首先，831後坊間開始流傳有人死，本來d消息難以查證，可信度未必高。

但係，唔同渠道既消息湧現，唔係夾埋，但竟然不約而同有以下共通點，都指出：

11:18

Stand News 立場新聞正在直播：「【旺角警署外】」。

《真！請廣傳出去畀每一個香港人知道》

（真係）我朋友個老婆講㗎！！我朋友已報上蘋果！

佢同事嘅老公係警察（C.I.P)，嚟緊呢一兩年就退休。佢今朝被總部call返去同班鬼頭開會......
原來當晚吐白泡嗰個示威者，喺當場其實已經犧牲咗......
嗰兩小時關站，就係經荔枝角站送咗去明愛醫院！同埋暫時所知係，打死人嗰個唔係"香港警察"！

Translation
"…A CIP revealed that a protester was confirmed dead on the spot …"
[Note: no CIP has so far come forward to confirm this]

Image 12-32 (*Image source: HKGOLDEN*)

6 September

- At 01:58, a post entitled "太 子 站 一 共 有 6 人 死 全 部 死 於 斷 頸" (Translation: Six people had died inside Prince Edward Station, all died of broken necks.) appeared on LIHKG. It claimed that police officers had broken the necks of six people and killed them. The post, however, did not give any details of these six people (see Image 12-33) (source: LIHKG).

Translation: "…A neighbour came to say that his friend, a staff of mortuary, told him that six persons had died at Prince Edward MTR Station and all of them died of broken necks. It was the police officers who twisted their necks to 90 degrees. His friend asserted that it was true, and that the medical workers and police officers knew about it. The information on the internet was disseminated by police officers. However, whether the dead body which was found floating in Sai Kung is related to this incident is not known."

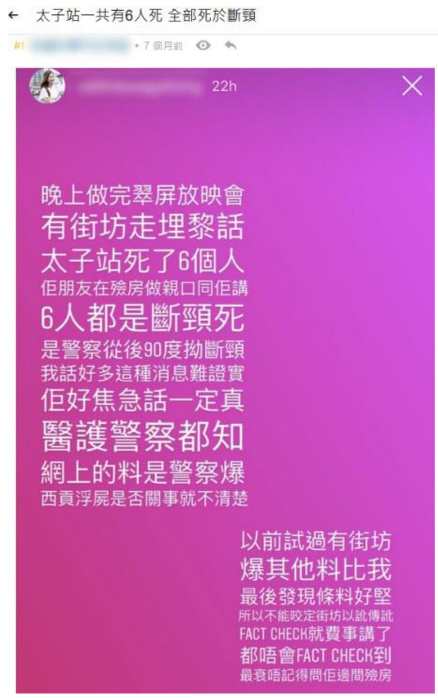


Image 12-33 (*Image source: LIHKG, originally from Instagram*)

- At 20:12, in response to the rumour that FSD had concealed the actual number of casualties inside Prince Edward Station, FSD issued a press release which stated:

(a) the situation in the station was chaotic and the injured persons were dispersed at different locations and they moved around on the platform. Some injured persons may have been repeatedly counted at the initial headcount by the ambulance personnel;

(b) when handling incidents with multiple casualties, the officer at the scene would firstly conduct a brief headcount of casualties and report the preliminary estimation to the Fire Services Communications Centre for its prompt dispatch of additional resources and manpower in order to enhance the efficiency of the rescue operation; and

(c) the number of casualties initially counted would be updated from time to time (source: FSD).

7 September

- At 17:09, the Government issued a press release, stating that there were no death cases over the past 3 months caused by law enforcement agencies during operation. The Government rejected the rumour that there was death in Prince Edward Station Incident (source: The Government).

9 September

- FSD officers joined the regular Police press conference at 16:00. FSD representatives rebutted the rumours that FSD officers had deliberately altered the number of casualties on 31 August in the Prince Edward Station Incident, and explained FSD practice for counting the number of causalities (source: HKPF).

10 September

- In the morning, the Police, FSD, HA and MTRC held a joint press conference for the first time in response to the Prince Edward Station Incident. Spokespersons from the Police, FSD, HA and MTRC asserted that no one had died inside Prince Edward Station. A police representative reiterated that the so-called death incident inside Prince Edward Station was a malicious and groundless rumour. The Police had not received any missing person report stemming from the Prince Edward Station Incident (source: media report).

11 September

- At 16:00, a LegCo Member held a press conference. She showed FSD internal records on the counting of casualties on 31 August and queried why FSD changed the number of casualties several times. (It is not known how the LegCo Member had got the information.) (source: media report).

- At 21:48, a news article was released (see Image 12-34). The article stated that the ambulance officer inside Prince Edward Station had amended the number of casualties on his own, and questioned why a male patient in coma was taken out of the station by FSD at an earlier time (source: media report).



<u>Translation</u>
"An officer in charge had changed the number of injured persons on his own. Did FSD take the unconscious man away before counting the number of injured?"

Image 12-34 (*Image source: From Stand News Facebook public page*)

12 September

- In the small hours, netizens spread information on Facebook and LIHKG that MTRC had closed the Prince Edward Station to perform a funeral ceremony for the deceased inside the station. A netizen, after seeing the information on the internet, went to the vicinity near the station and conducted a live broadcast on the internet. The 122- minutes long live broadcast video captured the vicinity of the Prince Edward Station, mainly near Exit E. At that time, the station, as well as the gates of the various exits, had already been closed after service hours. The netizen taking the video walked around the station and talked to passers-by. Some passers-by indicated that they came to check if any funeral ceremony was taking place. However, no such ceremony could actually be seen throughout the broadcast video. At 20:22, a media reported on the internet that around 120 000 persons had watched the video after it was made available online for 11 hours and the video was subsequently shared by 700 persons with more than 1 000 comments received [As at 6 March 2020, there are over 189 000 had viewed this video] (source: media report).

- In the afternoon, FSD held a press conference to address the concern over the counting of casualties. FSD spokesperson reiterated the clarification given in their press release on 6 September and confirmed that there was no death case at all in the Prince Edward Station Incident (source: media report).

17 September

- At 15:00, another LegCo Member held a press conference and showed FSD incident log records. (It is not known how the LegCo Member obtained those incident log records.) He queried why FSD amended the incident log records

in relation to (i) counting the number of casualties and their injury conditions (amended on 3 September); and (ii) the Police taking the injured persons to Lai Chi Kok Station (amended on 10 September) (source: media report).

19 September

- In the afternoon, FSD held another press conference. FSD stated that it was a common practice to amend the incident log records after reviewing the information following an incident. There was a possibility that the PAO may have double-counted injured persons during the initial assessment (source: FSD and media report).

From 30 September Onward

- Between September 2019 and January 2020, on the last day of each month, i.e. on 30 September, 31 October, 30 November, 31 December and 31 January 2020, some people continued to place flowers outside Prince Edward Station (see Image 12-35 and 12-36) (source: media reports).





Image 12-35 and 12-36: People placed flowers at Exit B1 of Prince Edward Station, blocking the entrance
(*Image source: (left) Epoch Times and (right) Now TV*)

- On 29 February 2020, protesters gathered again to commemorate the 31 August event. Protesters chanted slogans and placed flowers at different Exits of Prince Edward Station (see Image 12-37). Some of them pointed laser beams at police officers on guard nearby, and built barricades and set fires on roads. The Police fired tear gas to disperse the crowd, and took arrest action in the evening (source: media report).



Image 12-37: People placed flowers at Prince Edward Station
on 29 February 2020 and MTRC closed the exit
(*Image source: HK01*)

Complaints against Police

12.36 The 31 August incidents gave rise to four RCs and 19 NCs.

12.37 Out of the four RCs received, one RC was related to the Prince Edward Station Incident. The case was about police's handling of a reporter inside Prince Edward Station. The other RCs related to an arrest action in Wan Chai, police's failing to facilitate reporters in Mong Kok area, and police's firing of tear gas in Central.

12.38 The nature of the NCs is as follows:

- One NC raised by 25 complainants against officers for inappropriate use of force inside Prince Edward Station;
- One NC raised by 24 LegCo Members against police's handling inside Prince Edward Station;
- Six other NCs raised about police's handling inside Prince Edward Station such as hindering ambulance officers' access to the station, excessive use of force on the platform and altering the number of casualties; and

- 11 NCs about matters which took place in other locations, namely Yau Ma Tei, Wan Chai, Admiralty and Causeway Bay.

Police Response

12.39 In response to the events of this day, Police Management has made various observations to the IPCC, as set out below:

Police Closing of the Station Exits

12.40 At 22:05, some mobsters stormed Mong Kok Station and damaged the facilities there by tearing off cable, smashing CCTV cameras and windows of the control room and even broke into the office of Mong Kok Station. At 22:06, about 100 protesters gathered at Mong Kok Station. At 22:30, MTRC requested police assistance. Police officers shortly entered the station but the mobsters had already left by train or different exits. Between 22:42 and 22:53, mobsters on board a Tsuen Wan-bound train in Prince Edward Station disputed with several passengers in a train at platform No. 3. They later assaulted the passengers with sticks, umbrellas, sling shots and fire extinguishers. The train was stopped by MTRC at Prince Edward Station due to the emergency situation. At 22:44, around 100 protesters were getting off at Prince Edward Station. Some mobsters left the train compartment and changed into different clothing at the platform to disguise themselves as ordinary passengers.

12.41 Between 22:49 and 23:15, Police 999 Console received 18 fighting and one dispute reports between violent mobsters and other passengers inside the train compartment at Prince Edward Station (out of over 50 odd 999 reports, such as "assault", "mobsters throwing smoke bomb", "mobsters besieging MTRC platform control room" and "chaos inside Prince Edward Station", that the Police had received in relation to the incident in this period). In view of the situation, police officers were re-directed to Prince Edward Station in order to stop the fight and effect arrest as appropriate including those who had vandalised Mong Kok Station.

12.42 During the incident, the commanders took steps to stop the violence inside Prince Edward Station, arrest the perpetrators who had vandalised Mong Kok Station or involved in the fighting inside Prince Edward Station, and preserve the crime scene for evidence gathering.

12.43 The whole was not a pre-planned operation but an instant response towards the emergency encountered with very fluid operational environment both inside and outside the Prince Edward Station.

12.44 After the incident, the Command Post directed police officers to close all exits of Prince Edward Station in order to contain the crime scene and ensure the safe control of the

substantial number of APs.

12.45 There was no relevant police records as to whether any reporters had requested to go into the station but were refused by the officers on guard.

Police Enforcement Action and Arrest Action

12.46 While conducting sweeping at platforms No. 3 and 4 of Prince Edward Station, the officers exercised observation and professional judgement and successfully located some mobsters, who disguised themselves as ordinary passengers and scattered around the MTR platforms, including some hiding inside the train compartments. When police officers entered the train compartments at platform No. 4 (Tsuen Wan line to Central), i.e. opposite to platform No. 3, they were immediately attacked by more than ten violent mobsters with umbrellas and sharp-edged objects. In response, the Police used minimum force necessary to control and subdue them, including the use of police batons and OC Foam.

12.47 During the confrontation, officers successfully put a couple (a male and a female) under control inside a train compartment at platform No. 4. However, two other violent mobsters (a male and a female) were spotted hiding behind the couple and strongly resisted officers' arrest with force. Officers thus used minimum force necessary to control those two violent mobsters. However, at that juncture, the doors of the train began to close unexpectedly. Police officers would be outnumbered by the radical mobsters if they were trapped in the compartment. The officers therefore immediately retreated from the train compartments for their safety. The train doors then closed and the train departed the platform.

12.48 Despite first police request at 22:52 to stop all trains at Prince Edward Station, a train at platform No. 4 still managed to leave Prince Edward Station at 23:02. At 23:05, the Police requested MTRC to stop that departing train again. As arranged by MTRC, the train skipped Mong Kok Station and arrived at Yau Ma Tei Station at 23:09, waiting for police's arrival. At 23:18, police reinforcement reached Yau Ma Tei Station and located the subject train for enquiry. However, most of the passengers and mobsters had departed the train and left the Station. After enquiry, police officers arrested ten persons on the train including the couple who were previously controlled by officers in the train compartment at Prince Edward Station.

12.49 Throughout the incidents at the stations, the Police had arrested a total of 63 persons, including one person in Mong Kok area, 52 persons in Prince Edward Station and ten in Yau Ma Tei Station. Petrol bombs, laser pointers, catapults, steel marbles, helmets, respirators and other equipment were found on the APs.

12.50 The Police Senior Management's view was that the incident was a response to an emergency arising from the violent mobsters' assault on other passengers inside the confined MTR train compartment. The objective of deployment was to stop the fight and effect arrest as appropriate, including those who had vandalised Mong Kok Station. When police officers arrived at the Prince Edward Station platform, they exercised observation and professional judgement and successfully located some mobsters, who disguised themselves as ordinary passengers and scattered around the MTR platforms and the train compartments. The violent mobsters then attacked officers with umbrellas and sharp-edged objects and put up strong resistance upon arrest. As a result, the officers had to use minimum force necessary, including baton and OC Foam, to subdue and arrest them.

Management of the Scene inside the Station

Counting and Handling of Casualties

12.51 The APs were at first arrested at different locations inside Prince Edward Station. For the purpose of easy handling and treatment by ambulance officers and police officers respectively, all APs were then arranged to the end of platform No. 3 near the first train compartment heading towards Tiu Keng Leng direction.

Arranging a Special Train to Lai Chi Kok Station

12.52 That evening, 52 persons were arrested in Prince Edward Station. At around 23:20, the first batch of seven APs were escorted to leave Prince Edward Station who were to be sent to Kwai Chung Police Station. At 23:41, there were around 100 violent mobsters proceeding to Mong Kok Police Station from Nathan Road near Argyle Street.

12.53 At 23:45, the tension outside Prince Edward Station kept escalating such that over 200 mobsters with gear were proceeding to Mong Kok Police Station from the junction of Nathan Road and Argyle Street. At 00:36, there were about 800 violent mobsters gathering outside Mong Kok Police Station. At 00:38, after coordination with the FSD, all 45 APs at Prince Edward Station, including the seven injured APs, were sent to Lai Chi Kok Station. This was to facilitate further delivery of uninjured APs to Kwai Chung Police Station and injured APs to hospitals as it was unsafe to leave from the exits of Prince Edward Station with the presence of a large number of violent mobsters who might snatch the APs from the Police. At 01:23, seven casualties were escorted to Lai Chi Kok Station via a specially arranged empty MTR train and were sent to Princess Margaret Hospital and Caritas Medical Centre by ambulance.

Police Communication with FSD

12.54 According to live news broadcast and CCTV footage at Prince Edward Station, there was no evidence showing the Police had deliberately delayed ambulance officers from entering Prince Edward Station on the night of 31 August. Instead, the police officers at Exits B1 and E were trying to clarify with other police officers inside the station about the situation at the platforms before facilitating the safe entry of ambulance officers.

12.55 At 23:34, a senior police officer reported to the Command Post inside Prince Edward Station that some ambulance officers outside Exit B1 were inquiring about the situation inside the Prince Edward Station and whether they could go in. After coordination between the senior police officer and the Command Post, the PAO entered Exit B1 at 23:35 (according to the time on the CCTV footage of MTRC). In the meantime, according to the media footage, some ambulance officers, who could be the PAO's teammates, were setting up triage outside Exit B1 including a large triage mat. In this regard, the ambulance officers might not have been delayed from entering the station since their reported arrival time at 23:14, instead they might actually be working on the preparation of the triage outside Exit B1 to receive injured persons. However, such plan was disrupted later due to the escalating tension.

12.56 Regarding the situation at Exit E at around 00:10, police officers were actually making efforts to facilitate the entry of ambulance officers at Exit E since 00:09. The process was interrupted due to misunderstanding that MTRC staff had once informed police officers that there were only police and MTRC staff at the platform. Around 80 violent mobsters were surrounding Exit E with some of them hitting the metal gate of Exit E that also escalated the situation. After confirming that the passage was safe, the ambulance officers entered the station at 00:23.

12.57 Besides, the Police had in fact planned to escort the APs to leave Prince Edward Station from Exit B1, which was eventually aborted due to the significant threats to safety later presented by the violent mobsters in the vicinity of Prince Edward Station.

12.58 As such, it can be observed that police officers did not willfully obstruct the ingress of ambulance officers into the Prince Edward Station.

12.59 There was an ambulance officer stationed at Kowloon West Command Post for facilitating communication and resources coordination between both departments. On the other hand, the Regional Command and Control Centre of Police also maintained the usual communication mechanism by telephone hotline with Fire Services Communications Centre of the FSD.

Police Handling of Speculations

12.60 The Force Public Relations Strategy has been in place with the objectives of (i) proactively enhancing the reputation of the Police; (ii) maintaining public confidence in the Police; and (iii) leveraging support among the public and gaining public support for policing activities.

12.61 During the recent public disorder, many rumours and false accusations against the Police have been spreading around. To proactively address identified issues and seek clarification, the Police has adopted a proactive approach to disseminate vetted facts via different channels.

IPCC Observations

12.62 After 11 August, protesters continued to step up the scale and frequency of their protests and used urban guerillas tactics to cause disturbances and "Be Water" tactics to evade arrest. They kept escalating their use of violence to create disorder. In addition to blocking roads and throwing petrol bombs at police officers, they paralysed the Airport and the Cross Harbour Tunnel, vandalised station facilities, attacked police officers who had wandered loose from his team, and set fires on Chinese banks or shops connected to the Mainland. By way of "vigilantism" (私了) some violent protesters beat up people who did not agree with their opinions or actions or people who just took photos or videos of them. In many of the vigilante incidents, violent protesters often acted in a pack so that they could outnumber the victims they beat up. They used weapons to attack the target victims and even tied them up and humiliated them. These happened territory-wide and not uncommon during protests. On 31 August, territory-wide violent protests took place. That evening, when the Police took action against some of the protesters in Mong Kok Station, they fled to Prince Edward Station. The public raised a number of issues in relation to Police action in Prince Edward Station. Regarding these issues and other matters stemming from the incident, the IPCC has the following observations.

Police Entering Prince Edward Station to Take Enforcement Action

12.63 What happened in Prince Edward Station was not an isolated incident. It was part of police enforcement action against those violent protesters who had caused disturbances throughout the territory. Before fleeing to Prince Edward Station, the protesters had severely damaged the facilities inside Mong Kok Station. At 22:05, they caused serious damage to the CCTVs, ticket issuing machines and the control room inside Mong Kok Station. When police officers arrived at Mong Kok Station upon MTRC's report of their criminal acts, some of the protesters had taken the MTR to go to Prince Edward Station.

12.64 Since early August, the protesters had used urban guerilla tactics in their violent protests, taking advantage of the MTR line to go to different places to create disorder and to hide when the Police took dispersal and arrest action. This is very clear from what happened at Kwai Fong Station and Tai Koo Station on 11 August, already examined in the previous Chapter. The protesters did the same on 31 August. They used MTR lines for logistical purposes and MTR stations became their safe haven. Live broadcast by a television station captured images of many of the protesters taking off their black outfits and gear and putting on clothes in other colours to disguise themselves as ordinary passengers after they had arrived at Prince Edward Station. The live television news broadcast covered only one spot on the platform. There could be other spots where protesters changed clothes. From what can be seen on the news footage on what happened in Prince Edward Station subsequently there were many other people inside the station wearing masks, helmets and holding umbrellas. Many of them could be protesters. They certainly were a threat to law and order in the station.

12.65 Given what the protesters had done to Mong Kok Station and the fact that many of them had fled to Prince Edward Station, it was necessary for the Police to take timely and decisive law enforcement action against the protesters to stop them from committing further violence. Otherwise, the protesters would vandalise the facilities inside Prince Edward Station and hurt innocent people, after which they could move on to other stations to commit the same crime, or go up to the ground level to block roads outside Prince Edward Station, set fire at different places and besiege Mong Kok Police Station, causing widespread disturbances as before. In fact, the protesters did carry out further violent acts inside Prince Edward Station when they arrived there. As a result, police officers were deployed to enter Prince Edward Station.

12.66 Before the protesters arrived at Prince Edward Station, they had already attacked people on the train. While on the train, they entered into a fierce argument with a few middle-aged male passengers. Suddenly one of the protesters slapped a male passenger on his face. When the train arrived at Prince Edward Station, the brawl turned into a fight. The protesters, who outnumbered the middle-aged male passengers as in other vigilante incidents, attacked the male passengers with umbrellas. As the train arrived at Prince Edward Station, the fight stopped for a brief moment as the protesters got off the train, but six to seven protesters suddenly rushed back into the train compartment and fiercely attacked with umbrellas a middle-aged male passenger, who was staying put inside the train compartment. As the male passenger refused to leave the train compartment, the protesters discharged smoke from a fire extinguisher into the train compartment. They even attacked a lady standing on the platform using her mobile phone to record what happened and snatched her mobile phone. The protesters were extremely ferocious. Even though the place was a station full of people, they displayed no restraint, despite dangers to other passengers. The disorderly situation at Prince Edward

Station demanded the Police immediate law enforcement action. The Police stated that in view of the situation, the police officers were re-directed to Prince Edward Station in order to stop the fight and effect arrest as appropriate including those who had vandalised Mong Kok Station.

12.67 The acts of the protesters, attacking people on the train and on the platform and discharging smoke from a fire extinguisher, paralysed the operation of Prince Edward Station. The driver of the involved train could not close the train doors, as a result of which the train could not depart from Prince Edward Station. Someone had also activated the passenger alarm on the train. MTRC made a report seeking police assistance and asked people to leave the train at the platform. Between 22:49 and 23:15, the Police 999 Console received over 50 reports about the assault incident, a protester throwing smoke bombs, besieging the control room on the platform, chaos inside Prince Edward Station and so on. At 22:53, MTRC declared evacuation of the station. At 23:10, MTRC suspended all services on the Kwun Tong line and the Tsuen Wan line. The activities of the protesters created disorder inside Prince Edward Station, which is a major station. A stampede with disastrous consequences could have happened after the protesters discharged smoke from a fire extinguisher as people could mistake the smoke for a fire. In fact, FSD did receive reports of fire. Fortunately, the incident took place at around 23:00 when Prince Edward Station was not so crowded. Police prompt enforcement action was indispensable to restore law and order in the station.

Police and MTRC Closing Prince Edward Station Exits

12.68 According to the Police, the Command Post of the Police directed officers to close all exits of the station in order to contain the crime scene and to ensure the safe control of the substantial number of APs. Since many protesters changed their clothes to disguise themselves as ordinary passengers and some others also hid among ordinary passengers inside train compartments.

12.69 Enquiry had to be made to identify protesters inside the station. There was a chance that these protesters would leave the station. Closing the exits set up an effective barrier to stop protesters, many of them in disguise themselves as ordinary passengers, from leaving whilst police officers took enforcement action or made enquiry inside the station.

12.70 It can clearly be seen from some of the news footage that many of the protesters tried to run away to evade arrest, as a result of which some police officers had to chase after them. Even when stopped by the police officers, some of the protesters still put up strenuous resistance to free themselves. One news footage recorded a protester escaping after being subdued on the floor. The protesters were desperate not to be arrested by the Police. Closing the exits could prevent these protesters from leaving the station.

12.71 The Police arrested a total of 52 protesters in Prince Edward Station that evening. According to the Police, while the officers were taking enforcement action inside the station, violent protests were still going on in the streets. At 23:45, over 200 protesters dressed in protective gear and equipped with umbrellas and various weapons proceeded from the junction of Nathan Road and Argyle Street to Mong Kok Police Station where Prince Edward Station was located. By 00:36, about 800 protesters had gathered near the Prince Edward Station.

12.72 The IPCC notes that prior to 31 August, there were instances of protesters making attempts to snatch APs from the Police. Closing the exits was a practical measure to stop other protesters from entering Prince Edward Station: (1) to reinforce those protesters whom the Police was trying to arrest, (2) to launch attack against the police officers who were taking enforcement action inside the station, and (3) to cause further damage to the facilities of the station, which would make controlling the situation inside the station very difficult, if not impossible. Given the chaos inside the station and the fact that MTRC had declared evacuation of Prince Edward Station at 22:53 and suspended all train services on the Kwun Tong Line and Tsuen Wan Line at 23:10, no ordinary person would want to enter the station. The decision to close the exits appears to the IPCC as justifiable under these circumstances.

Police Enforcement Action and Arrest Action inside Prince Edward Station

12.73 The Police did use force in their arrest action inside the station. It may be seen from some news footage that some protesters attempted to run away. Hence, police officers gave chase. Some protesters put up resistance to evade arrest and even used umbrellas to hit the police officers. In response, the police officers used batons and OC Foam to subdue them. Even after being subdued by the police officers, some protesters put up a fierce struggle to try to escape. A news footage captured images of a protester who had been subdued onto the ground successfully escaping up an escalator full of people. When he absconded, other protesters attacked the police officers trying to get hold of him. Despite the use of force, that protester still successfully ran away.

12.74 According to the Police, the action was a response to an emergency arising from the violent protesters' assault of other passengers inside the confined MTR train compartment. The objective of deployment was to stop the fight and effect arrest as appropriate, including those who had vandalised Mong Kok Station. When police officers arrived at the platforms of Prince Edward Station, they exercised observation and professional judgement and successfully located violent protesters, who disguised themselves as ordinary passengers and scattered around the MTR platforms and the train compartments. The violent protesters then attacked officers with umbrellas and sharp-edged objects and put up strong resistance upon arrest. As a result, the officers had to use minimum force necessary to subdue and arrest them.

12.75 The IPCC notes that Police action inside a train compartment was widely discussed by the public and the Police was criticised for excessive use of force. Whilst it is not the purpose of this Report to make any judgement on any particular incident or action taken by individual officers that may give rise to complaints, the IPCC notices that while the police officers took action inside the train compartment, the train doors kept closing and opening. The police officers on the platform asked the officers inside the train compartment to leave the train. After the police officers had left the train, they remained on guard at the train doors. The train doors eventually closed and the train departed the station in the direction of Mong Kok. Upon police request, the train skipped Mong Kok Station and stopped at Yau Ma Tei Station. When the Police arrived, they managed to arrest ten persons, including a couple who were seen sitting on the floor of the train when police officers used force in the train compartment at Prince Edward Station.

12.76 Regarding the confrontation in the train compartment, the Police explained that while conducting sweeping at platforms No. 3 and 4 of the Prince Edward Station, the officers exercised observation and professional judgement and successfully located violent protesters, who disguised themselves as ordinary passengers and scattered around the MTR platforms, including some hiding inside the train compartments at platform No. 4 (Tsuen Wan line towards Central), i.e. opposite to platform No. 3. When the police officers entered the train compartments at platform No. 4, they were immediately attacked by more than ten violent protesters with umbrellas and sharp-edged objects. According to the Police, in response, the officers used minimum force necessary in order to control and subdue them, including the use of police batons and OC Foam. During the confrontation, officers successfully put a couple (a male and a female) under control inside a train compartment at platform No. 4. However, two other violent protesters (a male and a female) were spotted hiding behind the couple and strongly resisted officers' arrest with force. Officers thus controlled those two protesters. However, at that juncture, the doors of the train began to close intermittently. The Police is of the view that police officers would be outnumbered by the protesters if they were trapped in the compartment. The officers therefore immediately retreated from the train compartments for their safety. The train doors then closed, and the train departed the platform.

12.77 As to whether the level of force used by police officers when effecting arrest is justified, the IPCC observes that according to the police latest guidelines on the use of force, the appropriate level of force that can be used depends on the level of resistance put up by the subject. When an officer encounters active resistance (i.e. physical action to prevent control which might cause injury to oneself or others), he could consider using irritant agent devices such as OC Foam. In the face of aggressive assault (i.e. physical assault to cause or likely to cause bodily injury), the use of less lethal weapons, including baton, is an option. To control a subject effectively, the officer is justified to use a level of force greater than the resistance of

the subject.

12.78 It is subject to the officer's own judgement based on his knowledge and understanding of Police guidelines from training, and that officer will be held accountable for his own action. The use of force is, therefore, under the current legal regime, a matter of personal responsibility of each police officer who is held accountable to uphold the law and the rules of the Police on the use of force.

12.79 It is a practice of the Police to conduct a review after each deployment to ensure that all officers abide by the relevant guidelines and procedures, and to learn from the experience. It is therefore expected that the Police will review all incidents and, if justified, to bring to book any officer who did not follow Police guidelines and the law in their handling of the POEs. If the Police finds any officer having exceeded the bounds imposed by the law and Police regulations, the IPCC, and indeed the community, would expect the Police to take necessary action to prosecute or discipline the officer concerned. On 2 and 7 March 2020, the Commissioner disclosed publicly that the Police Management had taken immediate action to admonish 21 officers for probable misconduct in the handling of these POEs against the Fugitive Offenders Bill. The Commissioner had further stated this did not mean that no further investigation would be undertaken.

Police Request for a Special Train to Lai Chi Kok Station

12.80 According to the Police, they arrested a total of 52 persons in Prince Edward Station that evening. Around 23:20, the Police escorted seven of them to Kwai Chung Police Station by police vehicles. At 23:45, the tension outside Prince Edward Station kept escalating such that over 200 protesters with gear were proceeding to Mong Kok Police Station from the junction of Nathan Road and Argyle Street. At 00:36, about 800 violent protesters had gathered near the Prince Edward Station. The Police assessed that it was unsafe to take the APs out of Prince Edward Station. Hence, they requested MTRC to arrange a special train to carry the remaining 45 APs, seven of whom were injured to Lai Chi Kok Station. At 01:23, the special train departed Prince Edward Station. The seven injured APs were escorted to Princess Margaret Hospital and Caritas Medical Centre, whereas the remaining 38 were taken to Kwai Chung Police Station.

12.81 The IPCC notes that the Police had conducted risk assessment before requesting MTRC to arrange for the special train. There had been violent situations in which some protesters tried to snatch APs from police custody. It happened at the airport on 13 August. In addition to the consideration of the gathering of protesters outside the station, the IPCC notes the facts that the roads in the vicinity of Mong Kok Police Station where Prince Edward Station were a common scene of protests and frequently blocked by protesters. Furthermore, before

31 August, Mong Kok Police Station had been a target of attack by protesters. Had the Police escorted the APs by police vehicles and ambulances and the protesters chose to block the roads there, the police vehicles and ambulances would have been stuck on the road. The safety of the APs and the escorting officers would be a concern. Treatment of the injured APs would also be delayed. Obviously, MTR is the fastest means to escort the APs out of Prince Edward Station to Lai Chi Kok Station which is close to Kwai Chung Police Station and Princess Margaret Hospital and Caritas Medical Centre. The decision to arrange a special train was prudent and sensible although it was one of the factors that provided fuel to the spread of the unsupported death rumour.

Police Communication with FSD

12.82 According to FSD records, the first batch of ambulance officers (the PAO and his team mate) arrived at Exit B1 at 23:14. A police officer at the gate told the PAO no one was injured inside. After communication, the PAO entered the station at 23:30 (16 minutes later) (CCTV footage of MTRC showed that the entry time was 23:35 but the footage did not show the time the PAO arrived at Exit B1. The times from FSD records are, therefore, used in the Report). Before the PAO entered the station, 19 fire officers were already inside the station, providing first aid to the injured persons inside. 13 fire officers entered the station at 23:06 and another six at 23:20.

12.83 According to CCTV footage at Exit E, a number of ambulance vehicles arrived at Exit E at 00:09. A police officer at the gate also told the ambulance officers that no one was injured inside. According to some news footage, a fire officer came up to the exit gate and told the ambulance officers that there were injured persons inside. An MTR staff was also seen near the gate in discussion with police and ambulance officers. After this communication, the MTR staff opened the gate and the ambulance officers entered at 00:23 (14 minutes later).

12.84 According to the Police, at 23:34, a senior police officer reported to the Command Post that some ambulance officers outside Exit B1 were inquiring about the situation inside the Prince Edward Station and whether they could go in. After coordination between the senior police officer and the Command Post, the PAO entered Exit B1 at 23:35. In the meantime, according to some media footage, some ambulance officers, who could be the PAO's teammates, set up triage outside Exit B1. The Police explained that the ambulance officers might not have been delayed from entering the station as they were actually preparing for the triage outside Exit B1 to receive injured persons. However, such plan was disrupted later due to the escalating tension.

12.85 Regarding the situation at Exit E, the Police clarified that police officers had made efforts to facilitate the entry of ambulance officers at Exit E since 00:09. The process was

interrupted due to misunderstanding that MTRC staff had once informed the Police that there were only police and MTRC staff at the platform. Around 80 violent protesters were surrounding Exit E and hitting the metal gate of the exit. After confirming that the passage was safe, the ambulance officers entered the station via Exit E at 00:23. The Police stressed that the police officers did not willfully obstruct the ingress of ambulance officers into the Prince Edward Station. They were ensuring safety for their entry.

12.86 The IPCC notes that based on FSD records, it took the PAO at Exit B1 16 minutes and the ambulance officers from the five ambulance vehicles at Exit E 14 minutes to gain entry into the station. It does not appear from the chronology of what happened inside Prince Edward Station that the Police would deliberately disallow the ambulance officers to enter the station. Some ambulance officers did do some preparatory work outside the exit for receiving injured persons as the Police explained. Before the PAO and the ambulance officers from the five ambulance vehicles entered the station, 19 fire officers were already inside the station, handling the fire and smoke reports and treating injured person. With the presence of the fire officers, there should not have been any delay in the treatment of the injured persons even without the ambulance officers. In fact, three ambulance officers entered the station at 23:20 via Exit E and came out of the same exit at 23:34 with a female on a stretcher. Had the Police had any intention to prevent ambulance officers from entering the station, the fire officers and the three ambulance officers would not have been allowed entrance in the first place. It appears from the chronology that as soon as coordination work was effected, the ambulance officers were allowed in. Certainly, it would be ideal that the ambulance officers were allowed into the station as soon as they arrived at the gate. Certainly, the information initially provided by the police officer that no one was injured inside the station was not correct.

12.87 The situation inside Prince Edward Station at that time was chaotic and the station is big. 200 police officers were deployed and a number of protesters were arrested. The exit gates were closed to stop protesters inside the station from escaping and those outside entering. Before allowing any person to enter, the police officers on guard at the gates had to seek instruction from their supervisors and the Command Post. The arrest operation was not planned. According to the Police, an ambulance officer stationed at Kowloon West Command Post was designated to facilitate communication between the two departments. The Police Regional Command and Control Centre also maintained communication by a telephone hotline with Fire Services Communications Centre. From what transpired, communication and coordination among the police officers and with the FSD were ineffective.

Police Handling of Rumours and Speculations

12.88 The rumour on the internet of people being killed inside Prince Edward Station developed and spread very quickly. From a mere speculative comment at the start, it rapidly

transformed into a rumour and then into what purported to confirmation, without any evidence in support at any stage of this transformation. The following critical events and messages on the internet give an overview of how such an unsupported allegation developed:

31 August

- At 22:53, police officers entered Prince Edwards Station.
- At 22:59, there was a live broadcast of Police action by news media.
- At 23:01, messages criticizing the Police for excessive use of force appeared on the internet.

1 September

- At 02:19, messages speculating death in the station surfaced.
- At 17:15, speculation about several people being killed emerged.

2 September

- At 01:29, a post on LIHKG formally announced that a person had been killed by the Police in the incident, with no supporting evidence.
  Remark : Formal announcement was claimed.
- At 02:26, a post on HKGOLDEN quoted unknown health care workers' confirmation of two persons being killed, without naming the workers, and providing no evidence. The post claimed several people had died.
  Remark: Unnamed health care workers were quoted. No one has so far come forward.
- At 12:19, a post on LIHKG further claimed that a health care worker gave information about three persons disappearing (apparently from FSD counting of casualties).
  Remark: The health worker was not named and no one has come forward. FSD counting of the casualties was mentioned.
- At 13:46, a person claiming himself to be an HA staff said the body of a person who had been killed was in the mortuary of Kwong Wah Hospital.
  Remark: HA staff was unnamed and never came forward, dead body and Kwong Wah Hospital Mortuary were used.

4 September

- Someone uploaded a video clip onto YouTube with clips of news footage showing Police use of force inside Prince Edward Station. The narrative said

there was proof that someone had been killed inside the station and the Police did not allow ambulance officers to enter the station.
Remark: Ambulance officers not immediately entering the station upon arrival at the gates was mentioned. News footage of Police use of force was also used.

5 September

- At 23:13, a post on HKGOLDEN quoted information from a CIP claiming that death in the incident was definitely not fake but it was not the Police who had killed that person.
  Remark: CIP was unnamed and no one has come forward.

6 September

- At 01:58, a post on LIHKG claimed six persons died of broken neck in the incident, again with no supporting evidence at all.
- Remark: Number of alleged death exaggerated. Cause of death given.

12.89 It can be seen how the messages claiming police killing of persons at the Prince Edward Station on the internet had quickly escalated from speculation, to rumour and then to purported confirmation, all without any factual support at any stage of this transformation. Carl Sagan, the cosmologist, is credited with popularising a standard for examining extraordinary claims, called ECREE, which in long form, is "Extraordinary Claims Require Extraordinary Evidence". This is, of course, not new. It is simply a statement of the scientific method for the layman, reflecting no more than the common-sense notion that whoever makes extraordinary claims bears the burden of providing extraordinary evidence to support the claims.

12.90 The claim that the Police had killed someone in Prince Edward Station and then had the event covered up is, on any view, an extraordinary claim. The perpetrators of this allegation did not offer any evidence to support this claim. Instead, they resorted to speculation, rumour and then, purported confirmation by persons said to be a health care worker, an HA staff and even a CIP. None of these persons was named and none has subsequently come forward. The fact that the Police closed all the exit gates and the fact that injured persons were not seen being taken out from the station, were clearly exploited to fuel the allegation that officers did not allow entry to the station so that the Police could cover up the alleged killing. Discrepancies in the FSD record keeping could also have fueled the rumours.

12.91 It may be noted that there were reporters inside the station and they recorded the Police action in Prince Edward Station before the Police asked them to leave. There were passengers on both the platforms and on the train at platform No. 3. None of them reported any

incident that people had been killed or so seriously injured that would lead to death.

12.92 Hong Kong is one of the world's most densely populated cities and people live in close proximity to one another. If people had been killed inside the station, relatives of the deceased would soon report them missing and would come forward to tell the public. Equally, a person who has no relatives would be called upon either to pay rent or management fees and their being missing would soon become a matter for concern. Further, employers would likewise be concerned. However, no one reported anyone as having been missing on 31 August in connection with the incident. The Police has confirmed that they have carefully gone through missing persons reports and found no such connection.[26]

12.93 Spokespersons from the Police, HA, FSD and MTRC have all refuted the rumours that someone had died or been killed inside the station. Even the CS confirmed that no one had died in the incident. Had any of them not told the truth, the staff from FSD, HA and MTRC and officers in the Police would certainly have come forward to expose the lie. To conceal even one death in a public place in densely populated Hong Kong requires collusion of so many parties, departments and institutions that it is well-nigh impossible, let alone multiple deaths with broken necks, as claimed by one post. The claim that someone had died in the station by the hand of the Police and was then covered up, is an extraordinary claim completely unsupported by evidence and therefore, devoid of credence. However, the virulence of the propagation of this wholly unsupported claim and its continuing use as a rallying call by protesters despite the total lack of supporting evidence is a matter which should concern right thinking members of the community. The making of such unsupported claims poisons the legitimacy of peaceful POEs and abuses the freedom of expression we hold dear in our community. It also unjustifiably erodes the trust which the Police has earned over the years. It is also a disservice to the Police as an efficient force underpinning the foundation of any law-abiding society. These rumours would strike at the foundation of law and order and should not be allowed to prevail.

12.94 According to the Police, in response to the speculations, rumours or false accusations, the Force Public Relations Strategy has been in place with the objectives of (i) proactively enhancing the reputation of the Police; (ii) maintaining public confidence in the Police; and (iii) leveraging support among the public and gaining public support for policing activities. During the recent public disorders, many rumours and false accusations against the Police have been spreading in different media. The Police proactively identifies these issues, seeks clarification and adopts a proactive approach to vet facts and disseminates information via different channels.

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[26] Metroradio News (2019-09-10). 警稱沒收過涉 831 失蹤人口報告. Retrieved from https://www.metroradio.com.hk/news/live.aspx?NewsID=20190910135437

12.95 The response from the Police, FSD, HA and MTRC to refute the unsupported claims, however, was not quick enough. The Police did not make use of the two stand-up briefings at 03:00 and 18:00 on Sunday 1 September to rebut the untrue death rumours, allowing them to fester on the internet, as the rumours were just beginning to spread at that point. The first person to say that no one had died in the incident was the CS at the press conference on the morning of 2 September on a reporter's question. The Police rejected the claim at the Police press conference in the afternoon on the same day. By then, the untrue death rumours had already sprouted. At the Police press conference on 3 September, the police spokesperson firmly stated that the death rumour was fabricated. FSD did not timely explain how and why the number of casualties on FSD records changed from ten to seven. FSD only issued a press statement on 6 September. FSD, HA or MTRC did not hold any joint press conference or issued any press statement to explicitly say that no one had died in the incident. It was not until 10 September did the Police, FSD, HA and MTRC do so at a press conference to state together that the rumours was untrue. However, by then the rumour of the police killing several people inside the station had already gone viral on the internet and purportedly confirmed by unnamed persons. Had the Police acted promptly and taken the lead to organise the joint press conference to refute the rumours, there could have been a chance of stunting these rumours and preventing their spread on the internet, giving the protesters excuses to stage further protests. The protests have continued as a monthly ritual of violent protests outside Prince Edward MTR Station coupled with road blockages and attacks on Mong Kok Police Station.

Recommendations by the IPCC under Section 8(1)(c) of IPCC Ordinance

12.96 As pointed out in the previous Chapter, as protesters started to adopt urban guerrilla tactics by utilising the MTR network to access different locations across the city and block major traffic locations or cause damage to public infrastructure and transport facilities thereat and fled into MTR stations to evade arrest by the Police, it was inevitable that enforcement action would occur inside MTR stations. In the Prince Edward Station Incident, what the protesters had done, i.e. vandalising Mong Kok Station and subsequently engaging in a fight with MTR passengers using weapons, render it necessary for police officers to enter the station to take enforcement action. Nonetheless, it should be reasonably foreseeable by the Police that when an MTR station is closed, target persons are subdued onto the floor with force and arrested, and reporters are not allowed to conduct news coverage thereat, the passengers inside the station might panic, and the public would want to know what has happened inside. Unfounded speculations and rumours would emerge.

12.97 The IPCC is of the view that there are lessons to be learnt from the events of 31 August and recommends that the Police Management conduct the following reviews:

(a) Review Police strategy on taking enforcement action that involve making a large

number of individual arrests with the use of force;

(b) Review Police strategy on taking enforcement action inside MTR stations or premises crowded with people;

(c) Review the coordination among the Police themselves and with other departments in major operations, especially where closure of entrances to a premises is involved, and devise procedures and clarify the chain of command to facilitate efficient communication and coordination work;

(d) Devise means to enhance communications with the public about enforcement action that the Police has taken or is taking to increase transparency of Police work and to prevent unnecessary, unfounded or malicious speculations and rumours. In this regard, there should be more publicity and public education on Police procedures and practices for dealing with missing persons and death in Hong Kong;

(e) Given the increase in the use and popularity of social media, enhance the ability of the responsible teams in the Police to monitor the social media and devise procedures and protocols to deal with public concerns and untrue or malicious messages promptly and effectively by using the same media to propagate rebuttal;

(f) Review how to facilitate the work of reporters in a major operation without causing undue hindrance to Police enforcement action;

(g) Review the mechanism for the Police to disseminate information to the public to enhance transparency, for instance, PPRB to make timely announcement and update to the public on the situation inside Prince Edward Station to ease public concern and quash speculations or rumours; and

(h) Review the protocols for taking the lead to organise press conferences with other departments or institutions.

12.98 The above recommendations should be read in conjunction with the IPCC's recommendations in Chapter 6: Police Use of Force in Public Order Policing.

ANNEX

CHRONOLOGY – SATURDAY 31 AUGUST 2019

Key Incidents

A. Daytime Procession
B. Clashes on Hong Kong Island
C. Clashes in Kowloon and Mong Kok Station
D. Incidents Related to Prince Edward Station
E. Rumours Related to the Prince Edward Station Incident

Detailed Chronology of Events

A. *Daytime Procession*

Time (Approx.)	Incident
12:30	**Wan Chai, Hong Kong Island** People launched a 'Pray for Hong Kong Sinners' parade, which planned to march from the Southorn Playground at Wan Chai to Central. The organisers advised people to arrive at 12:30 and start the march at 13:00 (source: media reports[1]). About 1 000 protesters gathered at Southorn Playground (source: HKPF).  *(Image source: LIHKG)*

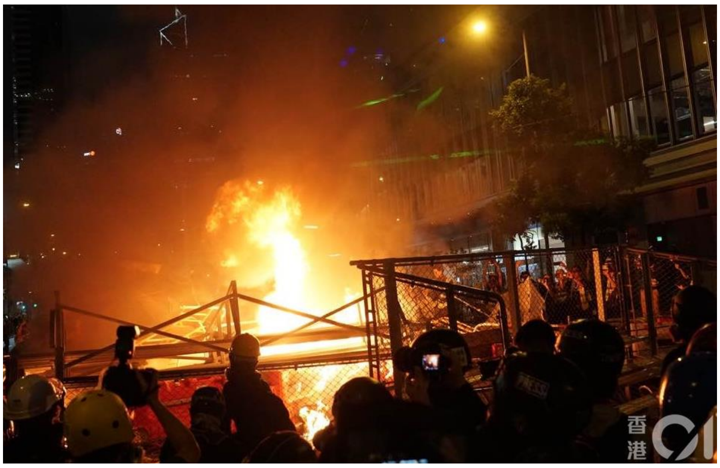
Time (Approx.)	Incident
14:00	**Central, Hong Kong Island** People started to gather in Chater Garden in Central for an assembly scheduled at 15:00 (source: media report[2]).  *(Image source: LIHKG)*  *(Image source: RTHK)*
15:00	People who gathered at the Southorn Playground started to march. Some people walked past Central. Some protesters blocked Hennessey Road in Causeway Bay with traffic cones, rubbish bins, mills barriers and other large objects (source: media reports and live video footage[3]).

Time (Approx.)	Incident
	 The situations of Hong Kong Island at 15:00 *(Image source: Now TV)*

B. *Clashes on Hong Kong Island*

Time (Approx.)	Incident
16:30	**Admiralty, Hong Kong Island** Protesters besieged and attacked CGC and LegCo Complex with different weapons (source: HKPF).
17:22	To stop protesters' violent attack, Police's dispersal action commenced from Central towards Causeway Bay direction with different level of force used, including SCMV, REACT rounds and CS smoke. Protesters split into two groups for dispersal with part of them further proceeded to Kowloon area by taking MTR, bus and ferries while the other group retreated towards Causeway Bay and Tin Hau areas by foot (source: HKPF).
17:24	Protesters threw petrol bombs to the armoury area of Police Headquarters (PHQ) (source: HKPF).
17:30	Protesters threw petrol bombs for many times near CGC. The places inside the water-filled barriers were on fire. The Police fired tear gas and deployed SCMVs to disperse the protesters (source: media reports and live video footage[4]).

Time (Approx.)	Incident
	  *(Image source: RTHK)*
17:41	A protester smashed the glasses of LegCo Complex with a metal pole. Five petrol bombs were thrown to CGC (source: HKPF).
17:42	Protesters destroyed the security room at CGC (source: HKPF).
17:45	The Police deployed SCMVs and discharged water with blue dye at the protesters near CGC (source: media reports[5]).  *(Image source: RTHK)*
18:00	Two petrol bombs were thrown to CGC which burnt up the marquee thereat (source: HKPF).
18:35	Protesters occupied the flyover outside Caine House and kept throwing objects at police officers on the ground. Police officers fired tear gas (source: HKPF).
19:10	**Wan Chai, Hong Kong Island** Protesters went to Hennessy Road outside PHQ in Wan Chai to block the road. A huge fire was set by protesters by burning a large number of items (source: media reports[6]).

Time (Approx.)	Incident
	 (Image source: HK01)
19:19	Protesters threw petrol bomb to the main gate of PHQ at Arsenal Street (source: HKPF).
19:30	A large number of protesters gathered outside the SOGO Department Store in Causeway Bay (source: media report[7]).
19:48	The Police deployed two SCMVs and one UNIMOG to proceed along Hennessy Road towards the fire scene (source: HKPF). The protesters retreated after the Police discharged water with blue dye from the SCMV. The SCMV also helped to put off the fire on the road (source: media report and live video footage[8]).  (Image source: Now TV)
20:35	The Police pushed to Hysan Place in Causeway Bay and protesters threw petrol bombs at the Police. Traces of arson caused by the protesters were seen on the road (source: media reports and live video footage[9]).

Time (Approx.)	Incident
	 (Image source: Sing Tao Daily)
20:46	Protesters marched towards police cordon line, and set fire on the barricades at SOGO Department Store crossing on Hennessy Road. During the confrontation, the Police fired multiple 40mm REACT round and volleys of tear gas to disperse protesters (source: HKPF).
21:00	Dozens of protesters confronted several plainclothes officers at Victoria Park. As a result, two plainclothes officers fired two warning shots to the sky (source: media reports[10]). According to the Police, the two officers performing special duties at Victoria Park fired two warning shots because they were chased and attacked by a large number of protesters (source: HKPF).

C. *Clashes in Kowloon and Mong Kok Station*

Time (Approx.)	Incident
21:16	**Tsim Sha Tsui, Kowloon** About 500-700 protesters were gathering at Canton Road junction Haiphong Road (source: HKPF).
21:26	Some protesters used garbage bins to block roads in Nathan Road. The Police fired tear gas at the Park Lane Shopper's Boulevard outside Tsim Sha Tsui Police Station. Riot police officers moved forward along Park Lane Shopper's Boulevard and cleared the roadblocks (source: media report and live video footage[11]).

Time (Approx.)	Incident
	 *(Image source: Now TV)*
21:37	Protesters used petrol bomb at Humphreys Road in Tsim Sha Tsui (source: HKPF).
22:05	**Mong Kok, Kowloon** Protesters retreated to Mong Kok and blocked the road with trash cans and other objects near the Bank Centre. Some protesters entered Mong Kok Station and broke the glass panel of the control room with iron poles and hammers. A hole was found on the panel (source: MTRC[12], media reports and live video footage[13]).  *(Image source: TVB)*
22:06	About 100 protesters gathered at Mong Kok Station (source: HKPF).
22:30	MTRC requested police assistance. Police reinforcement shortly entered the station but the protesters had already left either by train or by different exits (source: HKPF).

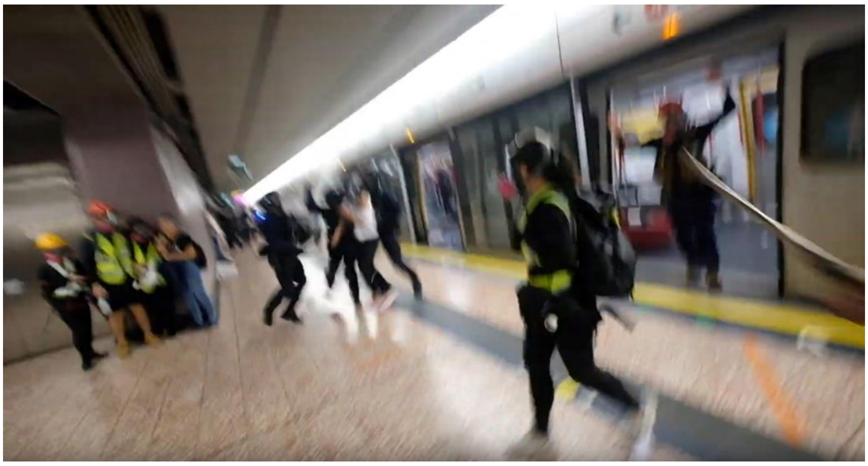
D. *Incidents Related to Prince Edward Station*

Time (Approx.)	Incident
22:42 to 22:53	Protesters disputed with several passengers in a train compartment at platform No. 3 heading to the direction of Tiu Keng Leng (source: HKPF). When the train was approaching Prince Edward Station, in the heat of the dispute, a protester slapped a male passenger on his face (source: media report[14]).  *(Image source: SocRec)* The train arrived at platform No. 3 of Prince Edward Station. Train doors could not be closed after passengers alighted and boarded the train (source: MTRC[15]). The brawl continued when the train reached Prince Edward Station. The protesters got off the train and stayed close to the train door apparently to argue with that male passenger and a few other middle-aged male passengers who were inside the train compartment. After a while, some protesters went into the compartment and attacked the male passengers with umbrellas. Those male passengers fought back. One of the male passengers took out and swung a hammer, and then the protesters came out of the train compartment and threw water bottles and umbrellas at male passengers inside. The fight stopped for a brief moment. Later, several protesters dashed into the train compartment and attacked the male passenger who had been slapped and was now being targeted. That male passenger fought

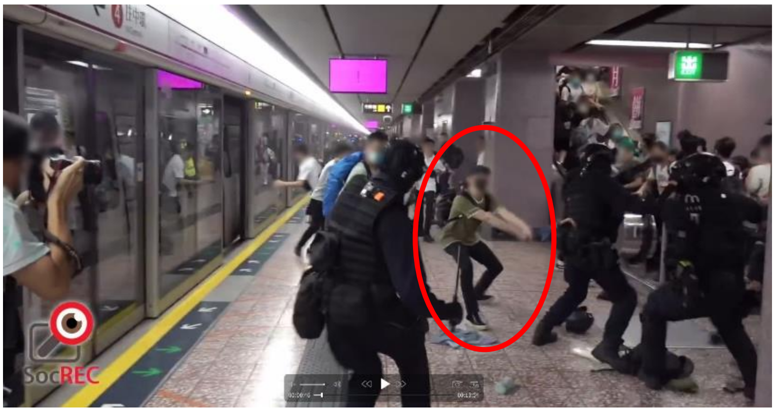
Time (Approx.)	Incident
	back but he was outnumbered by the protesters. The protesters came out of the train compartment. Someone (believed to be one of the protesters) discharged a fire extinguisher into the train compartment from the platform (source: media reports[16]).   *(Image source: SocRec)* Violent protesters assaulted the passengers with umbrellas, iron poles and fire extinguishers (source: HKPF). A lady standing on the platform recorded the incident and the acts of the protesters with her mobile phone. There is no indication that she was involved in the dispute or the fight. She was however also assaulted by the protesters (source: video footage[17]).

Time (Approx.)	Incident
22:44	The driver of the train which was about to depart platform No. 3 noticed that he could not close the train doors. He then noted that there was a dispute between two groups of people in a train compartment (source: MTRC[15]). Around 100 protesters were getting off at Prince Edward Station (source: HKPF).
22:45	MTRC reported the passenger disputes on the Kwun Tong Line train to the Police for assistance (source: MTRC[15]).
22:47	The passenger alarm devices on the train at platform No. 3 were activated (source: MTRC[15]).
22:49 to 23:15	Police 999 Console received over 50 reports about what had happened inside Prince Edward Station, including the "assault", "mobsters throwing smoke bombs", "mobsters besieging MTRC platform control room" and "chaos inside Prince Edward Station" (source: HKPF).
Around 22:50	Media footage captured a large group of protesters coming out from a compartment of the train from Mong Kok and began taking off their black clothing and changing into clothes of different colours at the far corner of the platform, disguising themselves as ordinary passengers. Some people held open umbrellas to shield the protesters taking off their clothes (source: media reports and live video footage[18]). 

Time (Approx.)	Incident
	 *(Image source: TVB)*
22:50	Commander gave instruction to deploy all available resources to go into Prince Edward Station for assistance (source: HKPF). MTR staff noted that smoke emitted from the train. Someone also activated the alarm on another train that had stopped at No. 4 platform. Both trains stopped at platforms No. 3 and 4 (source: MTRC[15]). FSD Console received a report that three persons were assaulted at Prince Edward Station (source: FSD).
22:52	999 Console received reports from citizens about seeing smoke coming out from a train compartment (source: FSD). The Police requested MTRC to suspend all trains at Prince Edward Station (source: HKPF).
22:53	MTRC decided to evacuate Prince Edward Station and broadcast an announcement asking all passengers to leave immediately. CCTV of MTRC captured that police officers entered the station via Exit C2. (source: MTRC[15]).
22:56	Police officers arrived at platform No. 3 and 4 and carried out operations on both trains (source: MTRC[15]).

Time (Approx.)	Incident
	 *(Image source: MTRC CCTV)* Some police officers chased after a few protesters on platforms No. 3 and 4 and in the train compartments while the protesters were running away and trying to escape (source: media reports[19]).  *(Image source: Pakkin Leung@Rice Post)* An officer chased a female in white shirt, who was running away from the Police at that time. At one point, the officer pushed the female once, and she fell down onto the floor.

Time (Approx.)	Incident
	  *(Image source: TVB)* After a number of protesters had been subdued onto the floor by the police officers, a female walked to those protesters and asked the protesters one by one for their names and HKID Card numbers and they accordingly gave her their particulars. It is not known who that lady was because she did not appear on the footage. Only her voice could be heard on the video. A male in black shirt who was being subdued on the ground tried to put up resistance before police officers could secure his hands behind his back with a plastic zip tie. He jumped up and ran. Some police officers tried to stop him. Almost at the same time, a person in green shirt who also wore a black mask hit the police officers with an umbrella to stop them from getting hold of that male. Another person pushed the police officers away. The police officers reacted with their batons, but he jumped onto a nearby stationary escalator crowded with

Time (Approx.)	Incident
	people (some of whom with masks) and disappeared. The person in green shirt then ran off down the platform. During the chaotic situation, the male in black shirt also ran away to a direction that could not be captured by the camera. Police officers used OC Foam and batons in the episode (source: media report[20]).   A male already subdued on the ground took the opportunity to escape when a lady asked for his name and HKID Card numbers  A male in green shirt hit the police officer with an umbrella

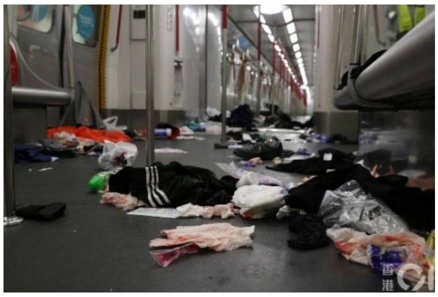
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<tr><th>Time (Approx.)</th><th>Incident</th></tr>
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A male jumped onto a stationary escalator crowded with people
(Image source: SocRec)

One of the compartments of the train at platform No. 3 was crowded with passengers. Several police officers spotted that among the passengers, four persons wearing helmets, masks, light reflection vests, black T-shirts and black trousers, and carrying backpacks. The police officers repeatedly asked them to get off the train but they did not do so. The police officers did not get on the train to take action but waited on the platform. There was a brief moment of standoff. Eventually, the four persons came out from a train compartment.

Police officers attempted to take enforcement action inside a train compartment at platform No. 4. One police officer pointed a rubber baton launcher at the train compartment and another police officer discharged pepper spray into it. Some protesters inside the compartment opened umbrellas to cover themselves. Some pointed their umbrellas at the police officers. Despite Police action, the protesters did not leave the train.

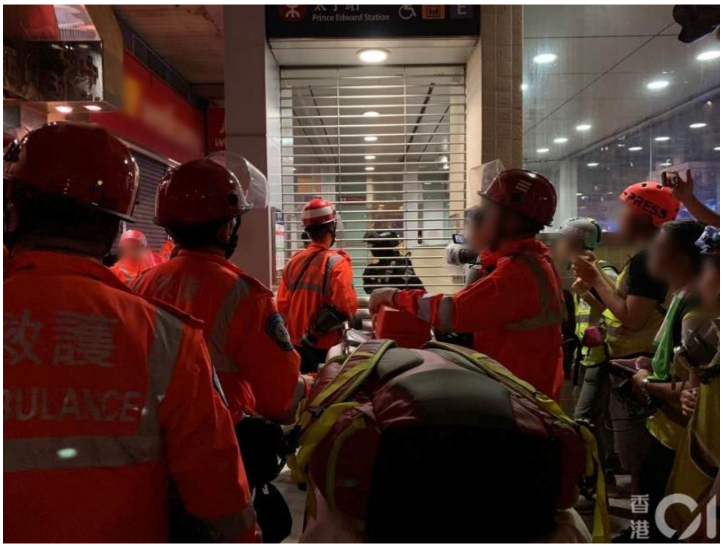
Many of the protesters retreated to the end of the train compartment and opened their umbrellas to form a barrier, while the clash between some of the protesters and a few police officers was taking place. Two young men and two women in masks, who were in close proximity to the protesters, were cowering on the ground, apparently in a state of panic under the chaotic situation. At one time, the police officers discharged OC Foam into the train from outside the train compartment. The man in the front put up his hands. The police officers did not arrest them or any person but instead got off the train. It could be seen that the train doors closed and opened several times, suggesting that the train was
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Time (Approx.)	Incident
	about to depart. Eventually the train doors closed (source: media reports[20]).  Two young men and two women were cowering on the ground inside a train compartment (*Image source: Pakkin Leung@Rice Post)* According to the Police, when police officers entered the train compartment at platform No. 4, they were attacked by more than ten violent protesters with umbrellas and other sharp-edged objects. In response, the Police used minimum force necessary to control and subdue them, including the use of police batons and OC Foam (source: HKPF).   *(Image source: HK01)* The Police requested reporters to leave Prince Edward Station for the reason that it was a crime scene where the Police had to take investigative action. Media footage recorded police officers requesting reporters to leave the station (source: media report[20]).

Time (Approx.)	Incident
	The Police arrested the protesters at different locations inside Prince Edward Station. All APs were then arranged to the end of platform No. 3 near the first train compartment heading towards Tiu Keng Leng direction (source: HKPF).   *(Image source: MTRC CCTV)*
23:01	In response to a citizen's report that smoke was seen inside the station, the first batch of fire officers arrived at Exit B1 (source: FSD).
23:02	Despite first police request at 22:52 to stop all trains at Prince Edward Station, a train at platform No.4 still managed to leave Prince Edward Station (source: HKPF).

Time (Approx.)	Incident
23:04	The train at platform No. 4 of Prince Edward Station departed for Yau Ma Tei Station (source: MTRC[15]).
23:05	Commander requested MTRC again to stop all trains at Prince Edward Station (source: HKPF).
23:06	The first batch of fire officers (13 in total) entered Prince Edward Station via Exit B1 (source: HKPF and MTRC CCTV). The fire officers cut off the lock of the iron gate (source: FSD). Police officers followed the fire officers to go inside the station via Exit B1. From then on, a number of police officers were seen guarding the exit (source: MTRC CCTV).
23:09	The train containing violent protesters arrived at Yau Ma Tei Station (source: HKPF).
23:10	MTRC suspended the train services on the Kwun Tong Line and Tsuen Wan Line (source: MTRC[15]).
23:12	Fire officers inside Prince Edward Station reported to FSD Console that there was no fire (source: FSD).
23:14	In response to a report from Police Console that people were injured inside the station, the first batch of ambulance officers (one Probationary Ambulance Officer (PAO) and his team) arrived at Exit B1. The police officers on guard at Exit B1 told the PAO that no one had been injured inside the station (source: FSD and media reports[21]).  *(Image source: RTHK)*
23:17	In response to a call made by a citizen to the FSD Console that some people had been assaulted inside Prince Edward Station, three ambulance officers arrived at Exit E (source: FSD). MTR staff were closing the gate of the exit but they allowed the ambulance

Time (Approx.)	Incident
	officers to enter. The ambulance officers then entered via Exit E (source: FSD).
23:18	Though the train departing from Prince Edward Station platform No.4 at 23:02 was stopped at Yau Ma Tei Station, the doors of the train compartment in fact opened after arriving at Yau Ma Tei Station. Hence, some violent protesters on the train had absconded before the police arrival. Nevertheless, the Police still managed to locate and arrest ten suspects at Yau Ma Tei Station (source: HKPF).
23:20	Second batch of fire officers (six in total) entered Prince Edward Station via Exit B1 (source: HKPF and MTRC CCTV). Three ambulance officers entering the Prince Edward Station via Exit E with a stretcher before MTR staff closed the gate at Exit E. Six fire officers entered the station via Exit B1 (source: MTRC CCTV). According to FSD, the fire officers with "First Responders" (先遣急救員) qualification could provide first aid to the injured persons. Their mission was to provide prompt basic life support to patients before the arrival of ambulance officers to increase their survival rate. (source: FSD). According to the Police, they had sent the first seven APs from Prince Edward Station to Kwai Chung Police Station by police vehicles (source: HKPF).
23:30	The PAO stayed at Exit B1 and was seen communicating with a police officer at Exit B1. According to FSD, at 23:30, the PAO entered the station by himself. The CCTV of at Exit B1 captured the moment (the time shown on CCTV was 23:35) when the PAO entered Exit B1 (source: FSD and media report[22]). (Note: According to records of HKPF and MTRC, the PAO entered Prince Edward Station via Exit B1 at 23:35.)
23:34	The third batch of fire officers (four in total) entered the station, just as the three ambulance officers came out with a female on the stretcher from Exit E (source: HKPF and MTRC CCTV).
23:41	There were around 100 violent protesters proceeding to Mong Kok Police Station from Nathan Road near Argyle Street (source: HKPF).
23:45	There were over 200 violent protesters with gear proceeding to Mong Kok Police Station from the junction of Nathan Road and Argyle Street (source: HKPF).
23:46	The PAO reported to the Console that there were about ten to 15 injured persons (source: FSD).

Time (Approx.)	Incident
23:56	A police officer had locked the gate of Exit B1 due to the increasing number of violent protesters gathering outside the exit (source: HKPF).
00:01 1 Sep	The PAO revised the number of casualties to nine (source: FSD).
00:09 1 Sep	A number of ambulances arrived at Exit E where the gate was closed (source: MTRC CCTV).
00:15 1 Sep	Ambulance officers at Exit E were told by a police officer that no one was injured inside the station. At one point, a fire officer came up from the station and told the ambulance officers outside the gate that there were injured persons inside (source: FSD and media report[23]).  *(Image source: HK01)* CCTV footage of MTRC captured that there was communication between police officers, fire officers, ambulance officers and MTR staff near the gate (source: MTRC CCTV). The PAO further changed the number of casualties to ten (source: FSD).
00:23 1 Sep	The MTR staff opened the gate for 19 ambulance officers to enter Prince Edward Station via the Exit E (source: MTRC CCTV and HKPF).
00:25 1 Sep	FSD Console was informed by MTRC that the station was clear with no more passenger inside (source: FSD).
00:36 1 Sep	There were about 800 violent protesters gathering outside Mong Kok Police Station (source: HKPF).

Time (Approx.)	Incident
00:38 1 Sep	Due to the situation outside Prince Edward Station, it was unsafe to convey the injured persons from Prince Edward Station to hospital. The Police decided to arrange injured persons to be sent to Lai Chi Kok Station for subsequent transportation to hospital (source: HKPF).
00:54 1 Sep	MTRC arranged a special train on police request to run from Prince Edward Station to Lai Chi Kok Station (source: MTRC[15]).
00:55 1 Sep	Police's arrest action inside the Prince Edward Station was completed (source: HKPF).
01:02 1 Sep	The PAO gave a final count of casualties as seven (source: FSD).
01:03 1 Sep	**Lai Chi Kok, Kowloon** Ambulance vehicles were standing by at Lai Chi Kok Station to convey injured persons to hospitals (source: FSD).
01:23 1 Sep	A special train carrying 45 APs, seven of them injured, left Prince Edward Station for Lai Chi Kok Station (source: MTRC[15] and HKPF).
01:28 1 Sep	The special train arrived at Lai Chi Kok Station (source: MTRC[15]).
01:35 to 01:55 1 Sep	The Police and ambulance officers escorted a total of seven injured APs to leave Lai Chi Kok Station via station lift. (source: MTRC[15]). The seven injured APs were escorted to Princess Margaret Hospital and Caritas Medical Centre respectively, and the 38 others to Kwai Chung Police Station (source: FSD and HKPF).

E. *Rumours Related to the Prince Edward Station Incident*

Time (Approx.)	Incident
22:59 31 Aug	A television station had a live broadcast of what was happening inside Prince Edward Station (source: live video footage[24]). Posts and messages began to appear on the internet.

Time (Approx.)	Incident
	 *(Image source: TVB)*
23:01 31 Aug	While the Police was still taking action inside Prince Edward Station, a post entitled "cls 黑警走左入太子站列車 見人就打" (Translation: Crazy, after getting into Prince Edward Station, police officers hit whoever they saw) on LIHKG. In the messages that followed this post, some netizens criticised the Police for using excessive force and beating people indiscriminately on the platform and inside the train compartment similar to the attack by those people dressed in white in the 721 Yuen Long Incident (source: LIHKG[25]).  ← cls 黑警走左入太子站列車 見人就打 831 1.再次射擊市民眼部 2.再有休班/卧底警員攜帶武器如警棍槍械參加非法集會 3.再有休班/卧底警員投擲氣油彈及對市民方向使用槍械掃射 4.休班/卧底警員在拘捕市民時未有表明身份及出示有效證件 5休班/卧底警員在拘捕市民時使用過份武力 6.警方使用載有有色染料水炮車進行驅散,嚴重污染環境 7.於旺角站內圍毆市民及將市民拘捕,暴力執法及濫捕 8.衝入車廂虐打市民,情況有如721白衫人襲擊元朗MTR *<u>Translation</u>* *7. Police officers assaulted and arrested civilians inside Mong Kok (sic) MTR Station, which was violent and an abuse of power.* *8. Police officers rushed into the train compartment to hit people vigorously, like what the people dressed in white had assaulted others in the 721 Yuen Long Incident.* *(Image source: LIHKG)*
23:18 31 Aug	A post entitled "太子站 警察發動恐襲 必要向國際求救" (Translation: The Police launched terrorist attack in Prince Edward Station, must seek international assistance) appeared on LIHKG (source: LIHKG[26]).

Time (Approx.)	Incident
	 *<u>Translation</u>* *Right away! Seek international assistance immediately. Uniformed police officers attacked citizens in the MTR indiscriminately. Hong Kong is in an inhumane condition. Must let everyone know about this.* *(Image source: LIHKG)*
02:19 1 Sep	A posts entitled "太子站啲傷者係咪仲未出黎" (Translation: Have the injured persons still not come out from Prince Edward Station) appeared on LIHKG. The post creator commented that "無記者影入面做咩左都無人知" (Translation: No reporter video recorded or took photos inside the station, no one would know what had been done inside). At 02:21, a netizen put up a message to this post saying "現場有傳打死左人，未 FC！！！！！" (Translation: People at the scene claimed that someone had been beaten to death. Haven't fact checked yet!") (source: LIHKG[27]).  *(Image source: LIHKG)*
03:00 1 Sep	**Police Stand-up Press Conference** The Police (PPRB) held a stand-up briefing to give an overview of the POE situation on 31 August. The PPRB officer did not give details of the casualties inside Prince Edward Station. The Police did not say whether anyone had died in the station. Nor did the reporters ask about it (source: media report[28]).
08:16 1 Sep	A post entitled "政府唔好再包庇黑警濫用暴力，應該盡快拉晒呢班黑警去坐監" (Translation: The Government should no longer allow the Police to use violence. Should take the triad police officers to jail as soon as possible)

Time (Approx.)	Incident
	appeared on the DISCUSS forum. The post creator claimed that the police officers were terrorists and assaulted the people inside the train (source: DISCUSS[29]).
16:37 1 Sep	A post entitled "有人覺得封太子站好奇怪？" (Translation: Anyone felt the closure of Prince Edward Station strange?) appeared on LIHKG. The post creator commented that "琴晚傷者冇人知去左邊,依家仲要封埋站,入面 0 消息,難道真係有人死左?" (Translation: Last night, no one knew where the injured had been taken to. Now, the station is even closed. No news from inside. Is it really that someone had died?) In the messages that followed this post, some netizens suspected that the Police had killed people inside the station, saying "似打死人" (Translation: Seems people were beaten to death), "我信死左人" (Translation: I believe that someone has died). More speculation of people being killed came to light (source: LIHKG[30]).
17:15 1 Sep	A post entitled "封站係因為黑狗太子恐襲 死左幾個市民 依加要執手尾" (Translation: The reason for closing the station was that the Police had killed several citizens, so the Police had to tidy up the scene) appeared on LIHKG. The post creator stated that "若果不能毀滅 就開始整理現場 想造成死者係因為自己失誤或被示威者襲擊而身亡" (Translation: If the evidence could not be destroyed, the scene had to be tidied up to create an impression that the deceased died of their/his own mistakes or attacks by protesters) (source: LIHKG[31]).
18:00 1 Sep	Kowloon West Region (Crime) of the Police gave a briefing to the media regarding the arrest operations mounted inside Prince Edward Station on 31 August. There was no mention whether any person had died during police enforcement (source: media report[32]).
20:19 1 Sep	A post entitled "嚴重懷疑尋晚太子死咗人" (Translation: Seriously suspecting that someone had died at Prince Edward last night) appeared on LIHKG. The post creator stated "結果封站封一日。真毀屍滅跡" (Translation: The station ended up being closed for one day. Undoubtedly destroying evidence) (source: LIHKG[33]).
PM 1 Sep	The Hong Kong Journalists Association (HKJA) and the Hong Kong Photographers Association issued a statement condemning the Police for obstructing news coverage inside Prince Edward Station (source: HKJA[34]).
01:29 2 Sep	A post entitle "正式宣佈八月三十一日，一位香港人被黑警活生生打死" (Translation: Formally announce that a Hong Kong person was beaten to death

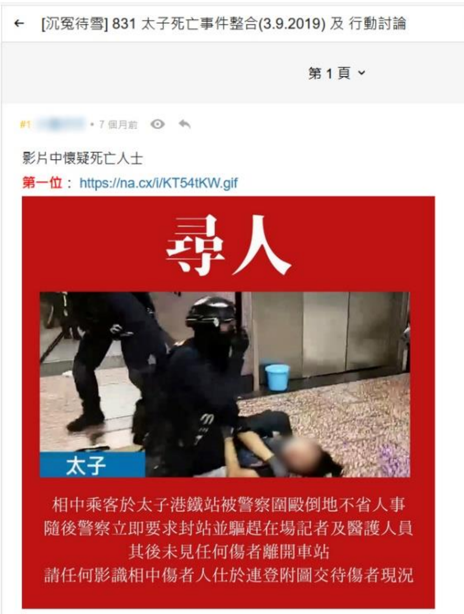
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<tr><th>Time (Approx.)</th><th>Incident</th></tr>
<tr><td></td><td>by police officers on 31 August.) appeared on LIHKG. The post creator, referring to a live broadcast video, claimed that a protester was unconscious when being subdued by a police officer on the platform and said that the protester was actually dead at that time (source: LIHKG[35]).

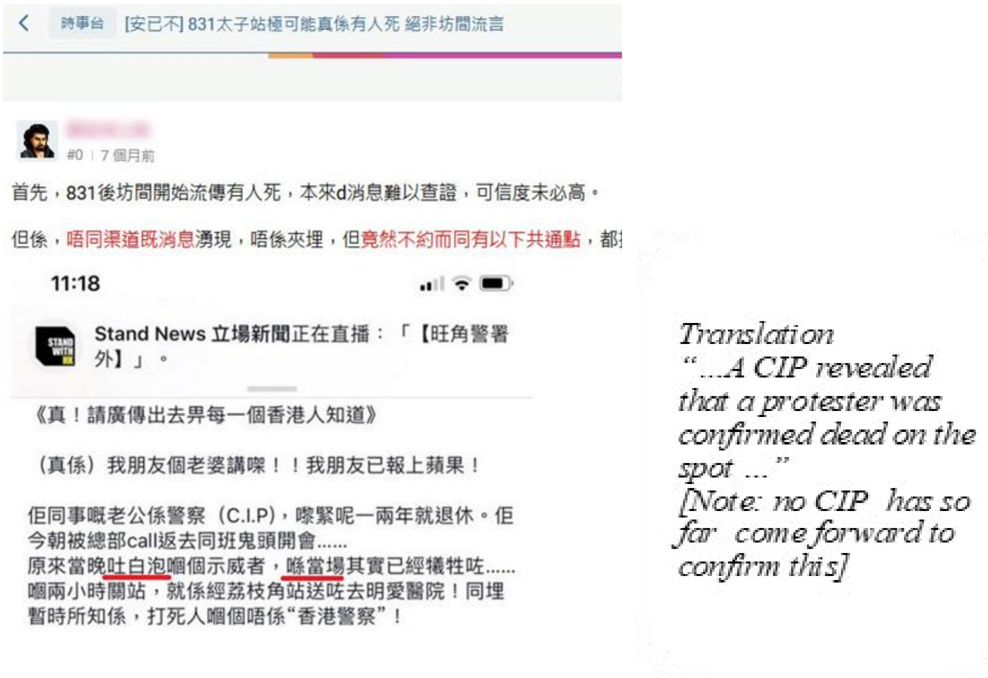


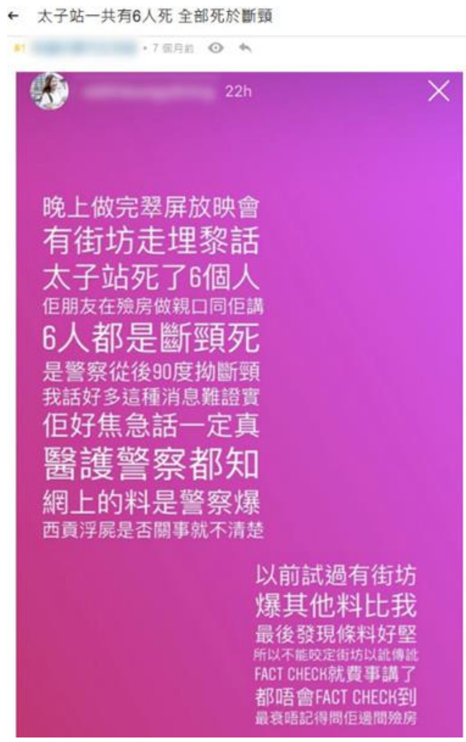
(Image source: LIHKG, the video was originally from Apple Daily)</td></tr>
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2 Sep</td><td>A post entitled “太子站死了幾個黑衣示威者，醫護說出姓名的已有兩個，求FC” (Translation: Several protesters in black outfits died inside Prince Edward Station. Health care workers gave the names of at least two people. Please fact check it) appeared on HKGOLDEN. The post creator showed a screen capture of a Facebook page, which stated that two persons (with two Chinese names given) were killed inside Prince Edward Station and their dead bodies had been sent to mortuary (source: HKGOLDEN[36]).</td></tr>
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Time (Approx.)	Incident
	 *Translation* *"Please check with the mortuary of the hospital. My friend's relative, a medical worker, claimed that several protesters were beaten to death in Prince Edward Station Incident last night. Two of them named "XXX" and "XXX" (Name deleted by the IPCC) had been sent to the mortuary. The news are blocked. Please do a fact check. Hope this is not real."* *(Image source: HKGOLDEN)*
AM 2 Sep	**Government Press Conference** A reporter asked CS to comment on the action of the Police in Prince Edward Station and to respond to the alleged death incident inside the station. CS replied that there was no death report in connection with the incidents on 31 August according to the information from HA (source: the Government[37]).
12:19 2 Sep	A post entitled "幫手出:831 前線救護爆料" (Translation: Help to disseminate: 831 frontline medical staff give information) appeared on LIHKG. The post creator claimed that he was an ambulance officer who was on duty on 31 August and went to Prince Edward Station. He had heard that the number of casualties that initially reported to FSD control room was ten. However, only seven injured persons were sent to the hospitals at the end. In the messages that followed this post, some netizens queried why three injured persons were missing (source: LIHKG[38]).
13:46 2 Sep	A post entitled "831 太子站死人消息" (Translation: Information on those dead at 831 Prince Edward Station) appeared on LIHKG. The post creator posted a photo with a message. A person who claimed to be an HA staff (not named) said that a dead body in connection with the Prince Edward Station Incident had been located at Kwong Wah Hospital (source: LIHKG[39]).

Time (Approx.)	Incident
	 *<u>Translation</u>* *"…The corpse is now at the mortuary of Kwong Wah Hospital…the HA senior management issued a false statement to cover up the incident…Welcome to do a fact check on it…"* *(Image source: LIHKG)*
16:00 2 Sep	**Police Press Conference** A police spokesman stated that on 31 August, the police officers had taken enforcement action inside Prince Edward Station based on their intelligence and their professional judgement at the scene. He said that there was no instance of death that night (source: the Government[40]). A FSD representative who was present at the press conference provided an overview of their operations on 31 August and stated that seven injured persons were sent to the hospitals, but did not say whether the number of casualties had been revised over time (source: HKPF and media report[41]).
12:35 3 Sep	The post update on "831 太子死亡事件整合(3.9.2019) 及 行動討論" (Translation: 831 Prince Edward death incident and operational discussion) appeared on LIHKG. The post creator posted two a "Missing Person Notice" on LIHKG purporting to look for missing persons.

Time (Approx.)	Incident
	The messages stated that the two persons did not leave the Prince Edward Station that evening, and asked people to provide more information on the whereabouts of the two missing persons. Messages following the post claimed that some APs had died (source: LIHKG[42]).  *<u>Translation</u>* *" Missing Person* *The person in this picture lost consciousness after being beaten by police officers. The Police then requested to cordon off the station and expel reporters and medical workers therefrom. No injured person was seen leaving the station afterwards..."* *(Image source: LIHKG)*
16:00 3 Sep	**Police Press Conference** The Police stated at a regular press conference that there was no case of death in the Prince Edward Station incident (source: HKPF and media report[43]).
4 Sep	A netizen uploaded a video clip entitled "跟進 831 太子站懷疑警方打死人事件" (Translation: Follow up on 831 Prince Edward Station Incident, suspecting that the Police had killed someone) onto YouTube. The video contained media footage, which covered the Prince Edward Station Incident. The person who made the video added textual descriptions, including that: ➢ there was proof that someone had been killed inside the station; ➢ the Police did not allow ambulance officers to enter Prince Edward Station, and some netizens demanded MTRC to release the complete CCTV footage to uncover the truth; and ➢ the Police had unreasonably beaten protesters (source: YouTube[44]).
16:00 5 Sep	**Police Press Conference** Reporters questioned why police officers used batons and pepper sprays on innocent citizens inside train compartments. A police representative replied that reporters should not only focus on a clip that had lasted for several seconds,

Time (Approx.)	Incident
	and reiterated that the officers were taking enforcement action in response to the violence at the material time. He repeated that no protesters had been beaten to death in the Prince Edward Station Incident (source: HKPF).
23:13 5 Sep	A post entitle “831 太子站極可能真係有人死 絕非坊間流言” (Translation: Very likely that someone had died inside Prince Edward Station on 831. It is not a rumour) was created on HKGOLDEN. It was mentioned in the post that according to a CIP, one protester was dead inside the Prince Edward Station that evening (source: HKGOLDEN[45]).  *(Image source: HKGOLDEN)*
01:58 6 Sep	A post entitled “太子站一共有 6 人死 全部死於斷頸” appeared on LIHKG. (Translation: Six people had died inside Prince Edward Station, all died of broken necks) It claimed that police officers had broken the necks of six people and killed them. The post, however, did not give any details of these six people (source: LIHKG[46]).

Time (Approx.)	Incident
	<u>*Translation*</u> *"…A neighbour came to say that his friend, a staff of mortuary, told him that six persons had died at Prince Edward MTR Station and all of them died of broken necks. It was the police officers who twisted their necks to 90 degrees. His friend asserted that it was true, and that the medical workers and police officers knew about it. The information on the internet was disseminated by police officers. However, whether the dead body which was found floating in Sai Kung is related to this incident is not known."*  *(Image source: LIHKG, originally from Instagram)*
20:12 6 Sep	**FSD Press Release** In response to the rumour that FSD had concealed the actual number of casualties inside Prince Edward Station, FSD issued a press release which stated: (a) the situation in the station was chaotic and the injured persons were dispersed at different locations and they moved around on the platform. Some injured persons may have been repeatedly counted at the initial headcount by the ambulance personnel; (b) when handling incidents with multiple casualties, the officer at the scene would firstly conduct a brief headcount of casualties and report the preliminary estimation to the Fire Services Communications Centre for its prompt dispatch of additional resources and manpower in order to enhance the efficiency of the rescue operation; and (c) the number of casualties initially counted would be updated from time to time (source: FSD[47]).

Time (Approx.)	Incident
17:09 7 Sep	**Government Press Release** The Government issued a press release, stating that there were no death cases over the past 3 months caused by law enforcement agencies during operation. The Government denied the rumour that there was death in Prince Edward Station Incident (source: the Government[48]).
16:00 9 Sep	**Police Press Conference** FSD officers joined the Police to hold the regular Police press conference. In the said press conference, FSD representatives rejected the rumours that FSD officers had deliberately altered the number of casualties on 31 August in the Prince Edward Station incident, and gave explanation on how FSD officers counted the number of causalities (source: HKPF and FSD).
AM 10 Sep	**Police, FSD, HA and MTRC Joint Press Conference** A police representative reiterated that the so-called death incident inside Prince Edward Station was a malicious and ungrounded rumour. She added that the Police had not received any missing person report stemming from the Prince Edward Station Incident (source: media report[49]).
16:00 11 Sep	**LegCo Member Press Conference** A LegCo member held a press conference. She showed FSD internal records on the counting of casualties on 31 August and queried why FSD changed the number of casualties several times (It is not known how the LegCo Member had got the information.) (source: media report[50]).
21:28 11 Sep	A news article was released. The article stated that the ambulance officer inside Prince Edward Station had amended the number of casualties on his own, and questioned why a male patient in coma was taken out of the station by FSD at an earlier time (source: media report[51]).  *(Image source: From Stand News Facebook public page)*

Time (Approx.)	Incident
AM 12 Sep	**Netizens claiming MTRC performed a funeral ceremony** In the small hours, netizens spread information on Facebook and LIHKG that MTRC had closed the Prince Edward Station to perform a funeral ceremony for the deceased inside the station. A netizen, after seeing the information on the internet, went to the vicinity of the station and conducted a live broadcast on the internet. The 122-minutes long live broadcast video captured the vicinity of the Prince Edward Station (mainly near Exit E). At that time, the station, as well as the gates of the various exits, had already been closed after service hours. The netizen taking the video walked around the station and talked to passers-by. Some passers-by indicated that they came to check if any funeral ceremony was taking place. However, no such ceremony could actually be seen throughout the broadcast video. At 20:22, a media reported on the internet that around 120 000 persons had watched the video after it was made available online for 11 hours and the video was subsequently shared by 700 persons with more than 1 000 comments received (source: media report[52]). [As at 6 March 2020, over 189 000 viewed this video.]
PM 12 Sep	**FSD Press Conference** In the afternoon, FSD held a press conference to address the concern over the counting of casualties. FSD spokesperson reiterated the clarification given in their press release on 6 September and confirmed that there was no death case at all in the Prince Edward Station Incident (source: media report[53]).
15:00 17 Sep	**LegCo Member Press Conference** Another LegCo Member held a press conference and showed FSD incident log records. He queried why FSD amended the incident log records in relation to (i) counting the number of casualties and their injury conditions (amended on 3 September); and (ii) the Police taking the injured persons to Lai Chi Kok Station (amended on 10 September) (source: media report[54]).
PM 19 Sep	**FSD Press Conference** FSD held another press conference. FSD stated that it was a common practice to amend the incident log records after reviewing the information following an incident. There was a possibility that the PAO may have double-counted injured persons during the initial assessment (source: FSD and media report[55]).
From 30 Sep onward	**People continued to mourn** Between September 2019 and January 2020, on the last day of each month, i.e. on 30 September, 31 October, 30 November, 31 December and 31 January 2020,

Time (Approx.)	Incident
	some people continued to place flowers outside Prince Edward Station (source: media reports[56]).  *(Image source: Epoch Times)*  *(Image source: Now TV)* On 29 Feb 2020, protesters gathered again to commemorate the 31 August event. Protesters chanted slogans and placed flowers at different Exits of Prince Edward Station. Some of them pointed laser beams at police officers on guard nearby, and built barricades and set fires on roads. The Police fired tear gas to disperse the crowd, and took arrest action in the evening (source: media report[57]).

Time (Approx.)	Incident
	 *(Image source: HK01)*

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CHAPTER 13

POLICE IDENTIFICATION DURING THE PUBLIC ORDER EVENTS

Introduction

13.1. Police officers wear personal identification for accountability: both internally as a matter of discipline and externally as a matter of public accountability. This has been part of the Force's commitment to working in partnership with the community. There have been some departures from this policy in relation to work not conducted in the glare of publicity and not under observation by the public, such as covert police operations or in situations where identification would expose the officer(s) to grave personal danger. Examples are operations involving members of the Special Duty Unit (dubbed "Flying Tigers Unit"). These are, of course, special cases. However, with the nature and extent of the Public Order Events (POEs) encountered by the Police since 9 June 2019, the Police have had to make exceptions to normal practice, to deal with what they believed to be exceptional circumstances. These exceptions have inevitably excited public concern and criticism.

13.2. This chapter addresses the issue of identification of police officers in the exercise of their powers during the recent POEs by examining the different perspectives of the public and the Police. The IPCC has taken reference from international practices and measures recently adopted by the Police.

Background

13.3. Public concern was raised soon after POEs broke out on 9 June 2019, when the Police had to contain the situation as front-line protesters began violently attacking police cordons with bricks and a variety of weapons, triggering police response with the use of force. These tactics included the deployment of Special Tactical Contingent (STC). According to the Police, STC has been developed after the Mong Kok Riot in 2016 where a significant number of officers were injured. This Contingent was in tactical gear designed for protection from violent attacks and equipped with batons to fend off attackers, dispersing them with a short sharp tactical move, and effecting arrests where practicable. For its black tactical outfit, STC has been dubbed "Raptors" by the public.

Photo	Incident
 Image 13-1	STC officer performing duty in 2016. *(source: Sing Tao Daily http://std.stheadline.com/instant/articles/detail/1026695/即時-香港-逃犯條例-指速龍小隊 2016 年制服有編號-民權觀察-警方回應實屬荒謬)*

13.4. STC did not display their ranks/unique identification (UI) numbers during operations. The Police explained that the tactical outfit did not have space for display of their identification numbers. Meanwhile, complaints came from the public and the press that certain plain-clothes officers had refused to show their warrant cards when requested or questioned, especially during stop and search operations. Police spokesman clarified that such practice should apply only where it was not feasible to show the warrant card. As the public expect police officers to wear identification and it is a well-known police practice (required under Police General Orders) that plain-clothes police officers in the discharge of duty do need to show their warrant cards to identify themselves, this recent departure from normal practice sparked widespread continuing concern and criticism, drawing persistent queries from the media, Legislative Council (LegCo) Members[1] and civil rights organizations[2].

13.5. As at 29 February 2020, there were 32 Reportable Complaints (RCs) and 89 Notifiable Complaints (NCs) with regard to the display of police identification. They accounted for 5.9% and 8.1% respectively of the total RCs and NCs received. Out of 32 RCs, eight of them involved plain-clothes officers and ten were in connection with STC or officers in anti-riot kits.

<u>Public Sentiment and Expectation of Accountability</u>

13.6. In the eyes of the public, the display of name plates or rank & UI number epaulettes by law enforcement officers is a basic requirement of transparency and accountability. The

1 For instance, the two urgent questions raised at the LegCo meeting on 19 June 2019 included queries on lack of identification of STC at the POE scene on 12 June 2019. At the LegCo meeting of 27 November 2019 alone, issues related to police identification formed the contents of as many as three questions (i.e. questions no. 3, 5 and 10) raised by various Members.

2 Notable examples are Amnesty International and Civil Rights Observers.

public has a right to identify any police officer exercising statutory powers in the course of law enforcement duties. Lack of such information makes it difficult for the public to identify officers and hold them accountable for any misconduct.

Photo	Incident
 Image 13-2	STC officer showing his service number on his uniform when performing duty on 9 Jun 2019 (right) STC officer showing his team number, but not his service number, when performing duty on 12 Jun 2019. *(source: Mingpao https://news.mingpao.com/ins/港聞/article/20190619/s00001/1560944306324/)*

13.7. In this context, allowing officers to operate without displaying proper identification when they interact with the public gives rise to potential mistrust. This undermines confidence in police legitimacy, particularly at a time when the community looks to the Police Force as the bulwark in maintaining law and order.

13.8. In the past months, apart from STC, there were other uniformed officers deployed for anti-riot operations also had their epaulettes undone and ranks/numbers covered from view. This attracted much media attention and public outcry.

Photo	Incident
 Image 13-3  Image 13-4	Media reported that some anti-riot police officers covered their services number on their epaulettes during operation in Shatin on 14 Jul 2019. *(source: HK01 https://www.hk01.com/突發/351848/沙田遊行-直擊軍裝警車尾換防暴衣-部分防暴警無證無號#media_id=3032930)*

<u>Internal Rules Governing Police Identification</u>

13.9. The Police, in its policies and General Orders, does recognize the public expectation.

<u>Disclosure of Identity to Members of Public Upon Request</u>

13.10. Police General Orders (PGO) Chapter 20-03 stipulates that without prejudicing operational efficiency, officers exercising statutory powers should disclose adequate personal information to identify themselves upon request, as follows:

Police Constable, Sergeant, Traffic Warden and Senior Traffic Warden	Station Sergeant and above
Rank and UI number	Rank and surname

Display of Warrant Cards

13.11. PGO Chapter 20-14 stipulated that an officer in plain-clothes when dealing with members of the public and exercising his police powers, whether on or off duty, shall identify himself and produce his warrant card. At the scene of a crime, officers in plain-clothes shall wear their warrant cards in such a manner that they may be readily identified.

13.12. Further, uniformed officers should produce their warrant cards upon request by members of the public unless:

(a) circumstances do not allow;

(b) to do so would prejudice the police action and/or safety of the officers concerned; or

(c) the request is unreasonable.

13.13. If a police officer in uniform is unable to produce his warrant card at the time of the request as required by paragraph 12(a) and (b) above, he should produce the warrant card at the earliest opportune moment. Where police officers do not produce their warrant cards either because the request for production was unreasonable or it could not be subsequently complied with, they must make an explanatory notebook entry.

13.14. Where a group of uniformed police officers is operating together, for example during a licensing raid, only one of the uniformed police officers present shall produce his warrant card on request.

Uniform and Insignia

13.15. Chapter 15 of Force Procedures Manual (FPM) stipulates the 'Dress and Appearance' requirements for police officers. According to FPM Chapter 15, there are three sets of standard uniforms: Force Working Uniform, Ceremonial Uniform and Full Uniform.

13.16. For uniformed branch officers, when wearing working uniform, epaulettes with embroidered badges of rank are to be worn. Sergeants and Police Constables are to wear their epaulettes with both their rank and unique service number displayed on each shoulder. Officers at the rank of Station Sergeant or above should wear epaulettes with only their rank displayed.

13.17. Other than standard uniforms, officers working in specialized units or engaged in specific duties may wear non-standard uniforms as designed for their specific operational

requirements, e.g. Police Tactical Unit (PTU) staff and Rural Patrol Unit.

13.18. FPM Chapter 15 stipulates that epaulettes and cloth insignia are to be worn on standard and specified non-standard uniforms respectively.

13.19. Certain officers working in specialized units or engaged in specific duties (such as STC, Explosive Ordnance Disposal Bureau) may be required to put on clothing (which are not regarded as uniform for the purposes of PGO / FPM 15) designed for their specific duties. Officers wearing such clothing are not required to wear cloth insignia unless the Formation Commander identifies the need with formal approval from Director of Operations through the Force Uniform and Accoutrements Committee.

Exceptional Circumstances and Threats Faced by Frontline Officers

13.20. It has been generally accepted that under certain circumstances, the nature of the operation makes it impracticable or inappropriate for officers to display their rank or UI numbers. However, there are other circumstances in which officers may be reluctant to comply with the identification requirement for fear that someone may use that information later to harass them and/or their families.

13.21. In this connection, officers' concerns about personal security or family safety should not be taken lightly. Repeated cases of officers being attacked while off duty have raised legitimate concern about their personal safety[3]. Such fears were aggravated when threats and even death notes were made against identified officers and their families on various online platforms and residential quarters. Incidents of cyber-bullying and doxxing have added to the worry of officers that their safety and well-being would be at risk if their identities were exposed when performing POE-related duties.

13.22. As advised by the Police at a meeting with IPCC on 17 September 2019, over 2 000 police officers and their family members have been doxxed since June 2019. There has been a groundswell of online hate messages against police officers and their family members. Names and identity card numbers of police officers as well as information on their spouse's employment, children's schools and other personal information have been posted online. Incendiary messages and rumours about killing the officers can be seen on cyberspace and some have experienced actual harassment. There is anecdotal information of the children of police officers being bullied at school.

3 The most serious case happened on 4 October 2019 in which an off-duty officer shot a 14-year-old student after being attacked at Yuen Long.

Following up with Police on Identification Issue

13.23. As early as 18 June 2019 at the Joint Meeting with the Complaints & Internal Investigations Branch (C&IIB), the IPCC had raised concern over the lack of identification and, in particular, some STC officers whose UI numbers were not visible. In response, the Police explained that the uniforms of the STC had been specially designed for tactical purposes and therefore did not facilitate the display of insignia. Nevertheless, the Police undertook to conduct a review to address the issue.

13.24. On 21 June 2019, the IPCC Chairman wrote to the Police highlighting community-wide concern over the issue had evoked and asked whether officers on the ground had been strictly adhering to the relevant Police Manual and operations guidelines on display and disclosure of their identification. In reply, the Police confirmed that the matter was receiving due attention and steps were being taken to address the public concern.

13.25. To follow up, the IPCC again wrote to the Police on 9 July and 10 September 2019 requesting information on the exact steps to be taken to address public concern.

13.26. At the Joint Meeting with C&IIB on 17 September 2019, the Police informed the IPCC that they had just put in place an identification system in which a unique and identifiable combination was printed on helmets. It was a temporary measure subject to further refinement and review.

13.27. On 24 September 2019, the Police formally replied in writing and gave an account of the development of the clothing of STC officers and the implementation of the temporary measure (on helmets) as detailed in paragraphs 28 to 37 below.

Clothing for STC Officers

13.28. The purpose of STC is to provide special weapons or tactical capability to other units to help control, resolve and/or make arrests at incidents which involve or are anticipated to involve exceptional levels of public disorder (e.g. prolonged unlawful occupation or physical obstructions to roads, serious threats to public safety and violence against police officers). STC members are drawn from Police Tactical Unit (PTU) Headquarters, Counter Terrorism Response Unit, Airport Security Unit, Special Duties Unit & Tango Coy to perform duties on an ad hoc basis.

13.29. STC is deployed in small teams each comprising five members, including the team leader at the Inspectorate / Sergeant level. Each team member is assigned with special accessories, equipment and weapons.

13.30. When first deployed in 2014, the STC members wore non-standard PTU blue uniform. During the Mong Kok Riot in 2016, it was found that the blue PTU uniform did not offer sufficient protection and could not meet operational and occupational safety needs. An overseas off-the-shelf tactical suit with better protection was sourced in November 2016, but it does not come with shoulder strips for cloth insignia or service number. Images 5 to 8 below are photos of the suit.



Image 13-5



Image 13-6



Image 13-7



Image 13-8

13.31. The wearing of the new tactical suit was formally approved in January 2017. It is not regarded as a set of Police uniform and is not governed by the PGO / FPM-15 "Dress and Appearance".

Identification and Insignia of STC

13.32. To identify designated teams of STC, a team call sign is allocated and each team member is issued with velcro embroidery badges with the team call sign for displaying at the rear of their tactical helmets. Images 9 and 10 below are photos of the call sign in use up to 12 June 2019.



Image 13-9



Image 13-10

13.33. On 9 June 2019, STC members wearing the new tactical suit described in paragraph 30 were deployed on the ground for the first time to handle violent protesters at the Central Government Complex.

13.34. In response to media reports[4] that some STC officers had displayed their service numbers by putting on their cloth insignia during operations, the Police clarified that some STC officers had on their own initiative put on the cloth insignia issued for their primary duties by clipping it to the radio pouch or utility vest. However, there had never been any order to STC officers to clip, or not to clip, the cloth insignia on their tactical suit.

13.35. STC members can be identified by

(a) call sign of the team;

(b) the equipment and weapons individual officers were assigned with and carried in the team (given the small size of each team, it is unlikely for two members to be assigned with entirely the same equipment or weapons);

(c) the officers' physical appearance including height and build; and

(d) records of their deployment, including the location of the team.

4 For instance, on 21 June 2019, a news article headlined "速龍搣走編號 李家超呃立會"appeared on Apple Daily and another headlined "速龍小隊編號相隔 3 日 疑失蹤 警重申：制服無位置放" on Sky Post.

13.36. On 14 June 2019, the Police decided to display assigned alphabets at the back of STC members' helmets to enable those STC members, who shared the same call signs of their team, to be more easily identifiable (i.e. "a" to "e" if there are 5 members in a team). This, however, would not apply to certain individual members occupying specific positions whose helmets would show only their posts, e.g. "SP-TRG" (which stands for "Superintendent – Training"). Images 11 and 12 are photos of the modified call sign.



Image 13-11



Image 13-12

13.37. With the additional stickers showing their assigned alphabets on the helmets, the types of equipment and weapons assigned with and carried in the team / sub-team / as well as records of their deployment, including the location of the team / sub-team, individual STC members can be readily identified. For individuals whose posts are shown on their helmets, there is little difficulty in identifying them as the posts in question are either unique or limited in number. The modified arrangement is in line with the international practices and facilitates more effective and efficient deployment of STC members.

<u>Research Report of Keele University</u>

13.38. For more informed study, the IPCC in early September 2019 commissioned Keele University to produce a research[5] report on international practices regarding the issue. The primary objective of the research is to benchmark the current police identification practice against existing standards in countries with legislative and policing structures similar to those in Hong Kong.

13.39. Under the coordination of Keele University, an international team of University-based scholars examined a broad array of practices adopted in different forms of government and legislative contexts. These include federal states like Canada, the United States, Germany, Switzerland and Australia as well as unitary states such as the United Kingdom, Denmark, Sweden and Norway.

5 The research also covers the wearing of masks during POEs.

Sweden and Norway.

13.40. It is worth noting that among the countries under study, the United States has experienced numerous instances of doxxing, harassment and targeting of police officers and their families. The United Kingdom also has considerable experience in addressing extreme safety threats to officers, most acutely in Northern Ireland where police officers have been a target of terrorist organisations.

13.41. The research report[6] was issued in early October 2019 and a copy has also been furnished to Police management for reference. The report is informative and illuminating, with rich practical reference on the balance between fair protection of officers and police identification. Major findings are outlined in the ensuing paragraphs.

<u>Research Findings on International Practices</u>

13.42. All of the countries examined have put in place requirements for officers to be identifiable during the policing of POEs. In principle, it is evident that there is a universal requirement of sound policing practice to have clear insignia showing the identity of officers visibly from the front and rear. In actual practice, some flexibility in implementation is allowed when extreme circumstances prevail.

13.43. In some countries, there are specific provisions to allow suspending the obligation of legitimisation and identification in order to protect the officers, e.g. during operations targeting organised crime or terrorist groups. For instance, in Germany, officers serving in police special squads are exempt from wearing name tag. According to the Police Ordinance in Sweden, police officers must be able to identify themselves to the general population if a citizen requests to see Police ID (SFS, 2014)[7]. However, in stressful situations like heated protests or during arrests, police officers can omit to tell their names[8].

13.44. The guiding principles driving the normative practice of ensuring police identification are ensuring public accountability (particularly with respect to police use of force), promoting public confidence in policing, maintaining professionalism on the part of individual officers and being operationally beneficial for police forces themselves. Any lack of police identification inhibits accountability and makes it difficult for police forces to earn the trust and confidence of those they are policing.

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6 The full report is on IPCC website https://www.ipcc.gov.hk

7 SFS. (2014). Förordning (2014:1102) med instruktion för Polismyndigheten [Ordinance (2014: 1102) with instructions for the Police Authority]. Stockholm: Ministery of Justice.

8 Page 71 second para., of the Research Report refers.

13.45. Identification requirements are not always governed by legislation. The majority of countries manage the issue through requirements and obligations created by the police forces themselves. There is considerable diversity due to the complexity of police governance processes.

13.46. In some countries, there are clear instructions on the size and font type of identification markings. In the United Kingdom, the College of Policing Public Order Training Manual Module G3 (2018)[9] at paragraph 3.7.2 states that helmet markings must be 'visible from all directions', whether the visor is up or down. The markings must include the officer's Force Identifier (each has a unique 2-digit identifier; for example, West Midlands Police is YM); their rank insignia (two "pips" for an inspector, "crown" for a superintendent, etc); and their officer identification number (often referred to as their collar number). It also prescribes the size and font type of these markings. The pictures below, taken from the Module G3 manual, show these markings on the helmets.



Image 13-13

NATO style helmets with clear identifier codes for each individual officer.

13.47. It is noted that all of the countries sampled appear to have had some difficulties ensuring all officers abide by the regulations at all times. The research report provides a handful of newsworthy examples. In the United States, the police are reported to have removed or covered their nametags when handling the well-known World Trade Organization protests in 1999, with some officers refusing direct requests to provide names or badge numbers[10]. In Canada, dozens of officers were found to have removed their identification badges from their uniforms during the 2010 G-20 Summit in Toronto and the 2010 G-8 Summit

9 URL https://www.whatdotheyknow.com/request/535605/response/1283809/attach/4/FOIA%202018%200097%20disclosure.pdf?cookie_passthrough=1

10 American Civil Liberties Union of Washington (2000). Out of Control: Seattle's Flawed Response to Protests Against the World Trade Organization.

in Huntsville, Ontario. Nearly 100 officers were disciplined as a result[11].

13.48. In the United States, fear of doxxing and other types of social media 'outing' have caused some officers to cover their identification during protest or riot events. However, this type of behaviour is typically not in line with departmental policy. In Northern Ireland, police forces do not deviate from the identification guidance but have implemented a number of mitigation measures to ensure the safety of their officers and staff such as the use of specific code numbers with restricted capacity to link code numbers to officer identity. This is a practice commonly adopted by police forces worldwide, such as the use of codified identifier by Zürich City Police as shown below.



Image 13-14

The assignment of the numbers of each police officer at the Zürich City Police *(© Andreas Moschin, Stadtpolizei Zürich).*

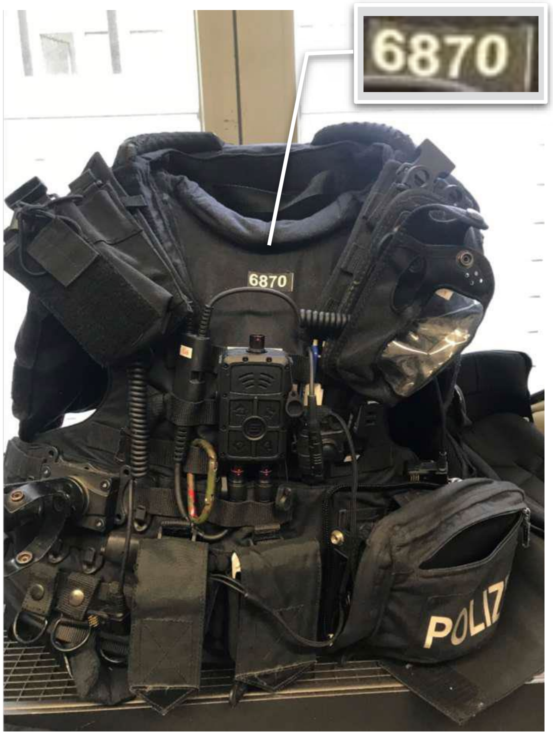


Image 13-15

The positioning and size of the personal ID number on the public order vest of the Zürich City Police. *(© Andreas Moschin, Stadtpolizei Zürich).*

13.49. Similar to the STC setup in Hong Kong, the Delta Unit in Sweden enables the rapid mobilisation of small squads of tactically equipped and trained officers to deal with extremely conflictual and stressful situations such as riots. Each Delta squad comprises a commander and seven officers on a vehicle. In policing protests, each officer wears a fluorescent yellow

11 "90 Officers Facing Disciplinary Action for Hiding their Identity at G20," The Star, November 4, 2010

vest or/and a "riot gear". The sign on the back and front of their uniforms shows only the Delta unit and squad number which are the same for officers of the same squad. This sign is not for identification purpose, but serves to assist respective commanders in getting an overview of the manpower under their deployment.

13.50. In situations where police officers wear or carry their helmets, people in Sweden would be able to identify individual officers by checking the specially assigned number on both the front and back of the officers' helmets. This number, made up of a letter standing for the region the police officer comes from and followed by four numerals (printed in black, 3 centimetres in height), is unique to each officer. It is the responsibility of the commanders to ensure visibility of the identification number on the helmets of their officers at all times, unless in circumstances where the police officer is at risk of threats or violence.[12]

Current Measures Taken by the Hong Kong Police

13.51. At the Special Council Meeting on 7 November 2019, the Police briefed IPCC Members on the background, objectives and implementation of the new "operational call signs" (OCS) since October 2019. On whether the OCS would eventually replace the existing insignia such as epaulettes showing rank and number, the IPCC noted that the matter was under review by the Police, and the IPCC would be informed of further developments in due course.

13.52. At the Legislative Council Meeting on 27 November 2019, Secretary for Security informed members that during recent major POEs, uniformed police officers on duty had displayed their UI numbers or identifiable OCS, while plain-clothes police officers exercising police powers would identify themselves by producing warrant cards or displaying identifiable OCS, as long as doing so would not be infeasible under the operational circumstances. The OCS was introduced as a pilot measure and its effectiveness would be reviewed.

IPCC Observations

13.53. The display of identification numbers or rank and name tags is important for accountability and transparancy. The fact that individual police officers are identifiable is clear proof of the commitment of the Police to be accountable for their actions. This should help enhance public trust in and cooperation with the Police.

13.54. In the context of police identification during POEs, the internal orders and manuals that the Hong Kong Police has put in place, coupled with the current measures of additional

12 RPSFS. (2014). Rikspolisstyrelsens föreskrifter och allmänna råd om märkning av skyddshjälmar m.m. [The National Police Board's regulations and general advice on labeling helmets etc.]. Stockholm: Rikspolisstyrelsens författningssamling [The National Police Board's constitutional collection].

markings on helmets (for STC in particular) and OCS (for anti-riot uniformed officers in general), are in conformity with prevailing international practices. In particular, the use of specific code numbers with restricted capacity to link codes to officer identity is an effective method to strike a proper balance between ensuring the protection of the police officers concerned and meeting the public expectation of accountability.

13.55. The current measures taken by the Police are steps in the right direction to give effect to a higher degree of transparency and accountability and a proper balance between these two principles. In the long run, the Police management should make displaying and providing identification a baseline practice of POE policing, and visible identification be an integral part of overall uniform management and accoutrement design. Exceptions should be allowed only in extreme and well-defined circumstances.

13.56. Meanwhile, applications have been filed in June 2019 for leave to apply for judicial review with respect to issues about the display of service numbers by STC officers[13], the outcome of which may result in adjustment to relevant measures.

13 This is the status of the case as at the time of finalizing this report.

CHAPTER 14

DETENTION ARRANGEMENT AT SAN UK LING HOLDING CENTRE

Introduction

14.1 This Chapter deals with the Police use of San Uk Ling Holding Centre (SULHC) for processing and detaining persons arrested on 11 August 2019. On that night, 53 arrested persons (APs) were taken to SULHC, which was activated as a Temporary Holding Area (THA), for post-arrest processing and detention. The use of SULHC, especially in relation to the arrests made on 11 August, had aroused public concern on whether SULHC was suitable for processing APs that gave rise to allegations of police misconduct. This Chapter examines whether SULHC was suitable to serve as a THA and from the IPCC, based on the findings, exercise its function under section 8(1)(c) to identify areas for improvement when the Police has to activate a THA under situations similar to that of 11 August in future.

Background

14.2 On occasions of large-scale arrests, the Police would activate a THA for detention on the instructions of Headquarters Command Control Centre (HQCCC) or High Command (HICOM). The purpose is to ensure the lawful processing and safe handling of APs. THAs would usually be individual police stations with sufficient space for the purpose, for instance an open carpark at a police station.[1]

14.3 SULHC had been used to detain APs on four occasions[2] by Police in handling the Public Orders Events (POEs) arising from the Fugitive Offenders Bill. 11 August was the only occasion that SULHC was used as a THA for post-arrest processing in addition to detention. Such use attracted public concern. On the night of 11 August, a large number of POEs occurred, mostly involving police actions against protesters who used varying degrees of violence against the Police. Multiple roads in multiple districts throughout the territory were blocked. A general picture of these incidents can be found in Chapter 11. A total of 117 persons were arrested on that day. 53 of them were sent to SULHC directly from their scene of arrest, including 29 from Tsim Sha Tsui, 15 from Causeway Bay and nine from Tuen Mun. One was taken to hospital from the scene of arrest before being detained at SULHC. Among the 53 APs taken to SULHC directly, 30 of them requested medical treatment and were

1 Information provided by HKPF on 2019-12-19
2 A total of 182 APs were detained at SULHC on the four occasions: (i) 5 to 7 August 2019; (ii) 11 to 13 August 2019; (iii) 25 to 26 August 2019 and (iv) 1 to 2 September 2019 respectively.

to the North District Hospital by ambulances.

14.4 The 54 APs sent to SULHC on 11 August (including one sent directly to hospital from Tsim Sha Tsui) were being investigated in relation to offences including "Taking Part in a Riot", "Unlawful Assembly", "Possession of Offensive Weapon" and "Possession of Ammunition without Licence". As at 29 February 2020, 29 of them have been charged in Court pending trial, 16 are still under police investigation and nine were released.

14.5 The use of SULHC, especially on 11 August, resulted in different allegations on the internet and in media reports, including APs being assaulted and/or sexually assaulted by police officers[3]; APs' requests for medical treatment being denied or delayed.[4] The Police has openly denied these allegations.[5,6,7] There were allegations that legal visits requests by both APs and visiting lawyers were denied or delayed.[8] However, in terms of complaints, the only Reportable Complaint (RC) received by the Police so far is about legal visit arrangements. There was also one Notifiable Complaint (NC) alleging assault of detainees based on information from the internet (see paragraph 14.22 below for complaint details).

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3 LIHKG (2019-08-27). 回帶 13 日前 新屋嶺既爆料. Retrieved from https://lihkg.com/thread/1511397/page/1
LIHKG (2019-08-27). 【推上熱門】新屋嶺 -16 歲抗爭者成隻手只剩一層皮連住. Retrieved from https://lihkg.com/thread/1511293/page/1
LIHKG (2019-09-04). 新屋嶺個女仔比人強姦單野係真架！！！. Retrieved from https://lihkg.com/thread/1537687/page/1

4 Headline Daily (2019-08-28). 【逃犯條例】北區醫院護士指部分新屋嶺被捕者骨折嚴重 質疑警方濫用暴力. Retrieved from http://hd.stheadline.com/news/realtime/hk/1578553/即時-港聞-逃犯條例-北區醫院護士指部分新屋嶺被捕者骨折嚴重-質疑警方濫用暴力

5 RTHK (2019-08-29). Lawyers slam use of 'primitive detention centre'. Retrieved from https://news.rthk.hk/rthk/en/component/k2/1477563-20190829.htm
Inmedia.hk (2019-08-27). 促請警方尊重被捕示威者的人權及法律權利. Retrieved from https://www.inmediahk.net/node/1066813

6 News.gov.hk (2019-08-27). 警方回應拘留新屋嶺相關指控. Retrieved from https://www.news.gov.hk/chi/2019/08/20190827/20190827_165319_923.html?type=ticker
Hong Kong Economic Journal (2019-08-28). 警否認新屋嶺虐打性侵 反駁全裸搜身控訴 陳淑莊批「口同鼻拗」. Retrieved from http://www1.hkej.com/dailynews/articlePrint/id/2232270
Hong Kong Economic Journal (2019-08-29). 警指羈留者無骨折表徵 醫局：有兩宗澄清「汽油彈從警員方向擲出」片段被惡意刪改. Retrieved from https://www1.hkej.com/dailynews/articlePrint/id/2233738

7 Hong Kong Economic Times (2019-08-28). 新屋嶺扣留 6 人骨折 警：被捕反抗傷. Retrieved from https://paper.hket.com/article/2438151/新屋嶺扣留 6 人骨折 警：被捕反抗傷

8 Ming Pao (2019-08-12). 【逃犯條例】警阻律師見新屋嶺拘留者 陳淑莊：警用無恥手段剝奪被捕者權利. Retrieved from https://news.mingpao.com/ins/港聞/article/20190812/s00001/1565571849405/【逃犯條例】警阻律師見新屋嶺拘留者-陳淑莊-警用無恥手段剝奪被捕者權利
Ming Pao (2019-08-13). 30 人移送文錦渡拘留 警稱無房安排會面 大狀斥警阻 被捕者未見律師已錄口供. Retrieved from https://news.mingpao.com/pns/要聞/article/20190813/s00001/1565635192236/30 人移送文錦渡拘留-警稱無房安排會面-大狀斥警阻-被捕者未見律師已錄口供
SCMP (2019-09-08). Hong Kong justices of the peace denied entry to police detention centre where anti-government protesters were allegedly mistreated. Retrieved from https://www.scmp.com/news/hong-kong/politics/article/3026162/hong-kong-justices-peace-denied-entry-police-detention

Cessation of Using SULHC to Detain APs

14.6 On 26 September, the Chief Executive announced that the Police would stop using SULHC to detain APs.[9] This was confirmed by the Police on 27 September.[10] Despite the cessation of use, the public continued to be concerned as it gave rise to a number of serious allegations, none of which have so far been supported by complaints or concrete evidence.[11]

14.7 In view of the public concern, the IPCC considers it necessary, from the perspective of section 8(1)(c) of the IPCC Ordinance, to study Police use of SULHC as a THA.

Sources of Information

14.8 For the purpose of this study, the IPCC has scrutinised the following materials:

(a) Documents provided by the Police in respect of a summary of detention arrangements in large-scale disorders.

(b) Information provided by the Police during IPCC visit to SULHC.

(c) A summary report provided by the Police in relation to the incidents on 11 August with selected entries from the incident log.

(d) Ambulance Journey Records, provided by Fire Services Department (FSD) in respect of persons injured in the incidents on 11 August.

(e) A table provided by the Police containing the detention records of SULHC.

(f) Meeting with the Police for information in respect of the operation of SULHC as a THA and general procedures regarding mass detention.

(g) Meeting with the Police to view the Detention Registers and Occurrence Books of SULHC.

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9 SCMP (2019-09-27). Hong Kong leader Carrie Lam sticks to her guns on police inquiry but vows no more protesters will be taken to San Uk Ling Holding Centre. Retrieved from https://www.scmp.com/news/hong-kong/politics/article/3030566/hong-kong-leader-carrie-lam-sticks-her-guns-police-inquiry

10 Sing Pao (2019-09-28). 新屋嶺停用 非因失實指控. Retrieved from https://www.singpao.com.hk/index.php?fi=news1&id=107073

11 RTHK (2019-09-27). Thousands rally against alleged police abuse. Retrieved from https://news.rthk.hk/rthk/en/component/k2/1482990-20190927.htm?spTabChangeable=0

(h) News reports produced by various newspapers. A total of 79 news reports were examined.

(i) Press statements obtained from the websites of the Information Services Department (*news.gov.hk* and *info.gov.hk*) concerning the use of SULHC.

(j) Footage and photos provided by the public upon IPCC's appeal.

Information on SULHC and Its Use on 11 August

Location and Usual Function

14.9 SULHC is situated at Man Kam To, a remote area near the border in the north of the New Territories (see Map 14-1). Prior to August 2019, SULHC had generally been used for post-arrest processing and repatriation of illegal immigrants.[12] The centre is capable of holding around 280 persons.

[12] According to Police, the intakes of illegal immigrants at the Centre in the past 5 years are 806 (2015), 509 (2016), 706 (2017), 597 (2018) and 275 (as of September, 2019).



Map 14-1: Location of SULHC

(Source of base map: Lands Department)

Facilities

14.10 In terms of facilities, there were two telephone landlines for outside communications. One for communications with other Police units and another for communications with external parties. Visitors may contact the officers inside the centre through the landline for external parties. Due to the remote location of SULHC, the mobile network coverage in the vicinity is generally unstable as it would depend on the quality or functionality of one's mobile phone and mobile service provider.

14.11 As for record keeping, no computer record was made on 11 August as the broadband capacity at SULHC was insufficient to ensure a stable connection to the Police centralised computer system. All detention and movement records of APs were done manually. On the night of 11 August, the Police used five Detention Registers for maintaining records of the APs' movement and 14 Occurrence Books for maintaining other records, including legal visits and medical treatment arrangements for them.

14.12 SULHC did not have the detention facilities generally available in police stations, including equipment for video-recording interviews (VRI), designated waiting area for visitors to detainees, CCTV system[13], and interview room that could ensure full privacy when detainees meet their visitors. At SULHC, there were two rooms available for legal visits on 11 August. One was a room with no door. A board for partition was set up outside this room to provide privacy. The other room had a wooden door with no observation window. The door was kept ajar for security and safety.

Post-arrest Processing of APs at SULHC

14.13 On the evening of 11 August, respective police stations at seven locations, including PHQ, Sham Shui Po, Tsim Sha Tsui, Cheung Sha Wan, Mong Kok, Tai Po and Sha Tin, were under violent attack. According to Police records, SULHC was activated by HQCCC as a THA at 20:20 of 11 August. At 20:43, all HICOMs were informed that THA would be activated at SULHC for detaining all APs. Upon HQCCC instructions, the APs earlier arrested at different areas of Kowloon were taken at around 20:00 to be sent to SULHC for processing. Later, at 21:38, HICOM of Kowloon West was informed by HQCCC to transfer all APs back to Yau Tsim District (YTDIST) for initial processing since there was no computer system at SULHC for recording and processing APs. HQCCC later at 22:13 reinforced this instruction by informing all HICOMs that any new APs would be processed at respective Police divisions before sending them to SULHC for detention. At 22:52, HQCCC decided to take 15 persons arrested in Causeway Bay area to SULHC directly (see paragraph 14.25 below for the reason of the change of decisions).

14.14 According to Police information, the 53 APs directly sent to SULHC from their arrest scenes consisted of four batches (see Table 14-1).

Arrest Location	Number of APs	Time of Arrest		Arrival Time at SULHC	
		Date	Within Time Period	Date	Time
Tsim Sha Tsui	29	2019-8-11	19:35-20:18	2019-8-11	22:26
		2019-8-11	19:35-20:26	2019-8-11	23:35
Causeway Bay	15	2019-8-11	22:01-22:21	2019-8-11	23:55
Tuen Mun	9	2019-8-12	01:25-01:42	2019-8-12	02:35

Table 14-1: Information in relation to the 53 APs' arrest and arrival time at SULHC

[13] CCTV has been installed on 28 September 2019 to monitor the outer area and the movement along the pathways to the detention blocks.

14.15 Upon APs' arrival at SULHC, receiving officers would make logistics arrangements such as confirming with the arresting or escorting officers the number of APs arrived, cordoning off the corridor area for handling APs. APs were then accompanied by the arresting or escorting officer to meet the Duty Officer (DO) of SULHC for making registration and recording any complaints or request for medical attention. In keeping with detention procedures, APs in a mass arrest would be served with notices informing them of general detainees' rights, such as the right to seek legal assistance and medical attention, and rights when being searched. The officer of the crime team administering the arrest and accompanying an AP to the THA would take the AP to the designated area for enquiry and statement taking.

14.16 On the night of 11 August, the 53 APs were interviewed by the DO upon arrival at the centre. The DO, who was a Station Sergeant, was assisted by four other police officers to go through the initial interview procedures and documentation. In principle, APs who feel they need medical treatment could raise their requests immediately upon meeting the DO and their requests would be recorded accordingly. APs who did not make any request with the DO would proceed to other work stations in the centre for processing, namely initial search, packing personal properties, fingerprint lifting and taking photographs. APs could still request medical treatment in the THA at any station while being processed.

Inadequate Record System

14.17 The record system of SULHC on 11 August were all manually operated, unlike the computerised systems in THAs in other police stations. The manual system proved inadequate for the occasion, as certain information including the data in relation to medical requests was incomplete. According to the Police records, 30 APs were attended to by ambulances but only the requests of 24 of them were recorded. For instance, an AP was recorded to have met the DO at 23:49 of 11 August and was attended to by an ambulance at 06:37 of 12 August, but the time of his medical request was not recorded. In the absence of the record in between the two events (i.e. the time of meeting the DO and the time of ambulance arrival), there was incomplete information as to what actually happened during the period.

14.18 Among the available records for the 24 APs, 12 of them made their requests upon being interviewed by the DO. In response to the medical requests, the Police called FSD for ambulances in batches[14] instead of making individual requests. There was no detailed record as to which ambulance was called for which AP.

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[14] A total of seven batches of requests for ambulances were made by the Police for 30 APs

14.19 With respect to records relating to ambulances, FSD has provided real time records retrieved from their computer system. According to FSD records, a total of 30 persons at SULHC were attended to by ambulances on that night, which is consistent with the Police records as to how many persons had requested for medical treatment. According to the Police, in order to cope with the number of requests for medical treatment, SULHC requested further manpower from the Police management for escorting APs to the hospital. Officers were subsequently deployed to reinforce the escort duty at SULHC.

14.20 The issue of incomplete data also exists in the records about legal visits. According to the Police, 50 interviews were arranged for 39 APs at SULHC on request by lawyers or by APs themselves. The records contained data when the 50 interviews started and ended. However, as to the time of requesting the interviews, only those of 23 APs were recorded. Among these 23 APs, a total of 26 requests were made, 17 by lawyers and nine by APs. The earliest request for legal visit was made by lawyers at 02:10 on 12 August whereas the first one made by APs was at 06:34 in the same morning. All 26 requests were entertained, with three APs interviewed with lawyers twice. No time entry of requesting legal visits was available for the remainder of APs. Based on available records, lawyers initiated most of the legal visits requests and they were made generally earlier than those made by APs.

14.21 According to the Police, some of the APs needed to have VRI on the night of 11 August. They were subsequently transferred to other police stations for conducting VRI.

Complaints against Police

14.22 The use of SULHC gave rise to one RC and one NC[15] as of 29 February 2020. The RC was lodged by three lawyers alleging that the Police had delayed access to their clients at SULHC in the small hours of 12 August 2019 and then failed to arrange a proper room for interview with their clients. The NC was about police officers assaulting APs at SULHC. This NC was lodged by persons not directly affected but upon learning the information from the internet.

[15] There is another NC in which SULHC was mentioned. The relevant allegation in that NC concerned the lack of arrest action against people who spread rumours about what happened in SULHC.

Police Response

Reason of Using SULHC as a THA

14.23 Regarding the considerations in activating SULHC to process APs directly on 11 August, the Police explained that the handling of APs may vary case by case depending on a number of factors including but not limited to the merits of individual cases, safety of APs and officers. On 11 August, there was widespread disturbance in various areas in Hong Kong. Many police stations that could normally be used as THA were under attack that night or were too close to the areas of disturbance.[16]

14.24 The Police considered it necessary to identify a safe and sizable location to handle the large numbers of APs. The Police found SULHC the most suitable for detaining APs with its capacity, high level of security, distance from areas of disturbance and the low risk of attack by protesters.

14.25 With respect to the changes of decision on the use of SULHC as THA on 11 August, the Police explained that at 20:20 that night, HQCCC decided to activate SULHC as THA for processing APs. However, after considering the operational deficiency of SULHC due to the lack of computer systems to record and process the handling of APs, a further instruction was therefore made at 21:38 that detained persons should be processed at respective police stations before being sent to SULHC for detention. After further deliberation, HQCCC decided that the detained persons already being transported to SULHC would not be transferred back to YTDIST, taking into account their safety and the security en route. Likewise, they instructed that the 15 APs in Causeway Bay were also to be directly sent to SULHC where manual recording of APs' details would be conducted.

14.26 When transporting the APs to SULHC on 11 August, the Police encountered the following problems:

(a) Large road junctions were blocked by barricades;
(b) Violence on-street was ongoing and it took time to arrange for sufficient escorting officers; and
(c) There were coaches held up at the unnamed one-way road connecting SULHC and Man Kam To Road.

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[16] Seven police stations were attacked on that night: PHQ in Wan Chai, Sham Shui Po, Tsim Sha Tsui, Cheung Sha Wan, Mongkok, Tai Po and Sha Tin.

Medical Arrangements

14.27 The Police explained that in order to fulfil their duty of care to persons in police custody, police officers will pay special attention to the physical condition of all arrested / detained persons. In general, whilst all police officers are professionally trained with first aid knowledge and skills, immediate care will be applied to those who are injured and medical treatment will also be arranged if considered necessary. Police further explained that when the APs arrived at SULHC, it was duly noted that for those with apparent injuries, the handling police officers had applied first aid. In addition, the Police at a press conference back on 27 August had explained that due to the large number of requests from APs for medical treatment, it was necessary to give priority to those with more serious injuries.[17]

14.28 The Police further stated that injuries of the APs were not caused while under police custody at SULHC. One injured AP was sent from the scene to the hospital directly for medical treatment, whereas other injured APs were given first aid as circumstances allowed at the material time. As at 29 February 2020, no CAPO complaint was made by any AP concerning alleged assault in SULHC.

14.29 The Police elaborated that in general, once the detained persons had made their request for medical treatment, officers at SULHC would immediately request for ambulance service. On the material night, there were circumstances that some detained persons had changed their mind upon the arrival of the ambulance. Example would be that the ambulance had arrived in the small hours while the detained persons preferred to proceed with their medical treatment later in the morning instead. Albeit such circumstances were not recorded due to the busy work at the time that SULHC was in operation, officers had made use of the best available resources to deal with the mass arrests.

Legal Visits

14.30 Regarding arrangements for legal visits, the Police explained that when some lawyers arrived at the main gate of SULHC for meeting APs, officers manning the main gate did not inform the officers inside and instead advised the lawyers to call the centre. Calls from lawyers were handled through the only landline available at the centre. The officers inside SULHC had knowledge of this only when the lawyers eventually succeeded in calling the centre

[17] News.gov.hk (2019-08-27). 警方回應拘留新屋嶺相關指控. Retrieved from https://www.news.gov.hk/chi/2019/08/20190827/20190827_165319_923.html?type=ticker
Hong Kong Economic Times (28 Aug 2019). 新屋嶺扣留 6 人骨折 警：被捕反抗傷. Retrieved from https://paper.hket.com/article/2438151/新屋嶺扣留 6 人骨折 警：被捕反抗傷

to check whether their clients were there.

14.31 The records on legal visits were made manually under hectic and chaotic circumstances so that errors might be possible. At a press conference on 27 August, the Police denied any intention to disallow detainees to meet with lawyers. They stated that all the APs detained at SULHC on the night of 11 August had been informed of their rights of meeting lawyers. Some volunteer lawyers, who were not engaged by APs at SULHC, arrived and asked to meet APs that night to offer services pro bono. The Police had explained the procedures to them and later arranged for interview with the relevant AP for them. If an AP had requested to meet lawyers, the Police would take cautioned statements from them only after the lawyers had arrived. The Police emphasised that the decision whether or not to meet lawyers was independently made by each individual AP. To preserve AP's privacy, the Police wished to make all interviews in one-to-one mode. However, there was a vast number of APs but only two interview rooms. Eventually, some APs and their lawyers agreed to be interviewed in small groups.[18]

IPCC Observations

Inadequate Facilities

14.32 Prior to August 2019, SULHC had not been used as an arrest processing facility. Its structural limitations made it not at all ideal for processing APs and particularly not for mass detention. For instance, there was no CCTV system, a basic security system for handling APs. In the event of public accusations, CCTV footages would provide evidence for support or rebuttal. Moreover, while the IPCC appreciates the challenges the Police faced in processing a large number of APs, any omission of detention records is not satisfactory. When SULHC was used as a THA on 11 August, there was no centralised computer system, as was available in the police stations used as THAs. This led to inability to keep a complete set of records, including those regarding medical requests and legal visits. A desirable THA should be equipped with adequate facilities to enable accurate and contemporaneous records in relation to the detention and movement of APs. This would serve as credible records when audit trail is needed or when the records are tendered as evidence in Court, as is possible when statements (whether made under caution or not) given by APs are challenged. The IPCC notes that these inadequacies at one stage prompted Police senior management to re-consider the use of SULHC

[18] News.gov.hk (2019-08-27). 警方回應拘留新屋嶺相關指控. Retrieved from https://www.news.gov.hk/chi/2019/08/20190827/20190827_165319_923.html?type=ticker
Apple Daily (2019-08-28). 拘 15 少年 兒童之家羈留. Retrieved from https://hk.news.appledaily.com/local/daily/article/20190828/20757462

as a THA on 11 August after it had been activated. However, when it became clear that many police stations that could normally be used as THA were under attack that night or were too close to the areas of disturbance, there was no alternative but to stay with the decision. This experience will inform future planning, if police stations again become unable to cope with large numbers of APs.

14.33 There was no parking area or waiting area for visitors to SULHC. Lawyers had to wait outside the centre at midnight on 11 August. When lawyers were admitted inside the centre to meet their clients, there was no proper interview rooms that could ensure complete privacy. The number and setting of interview rooms were simply not commensurate with the need, thus leading to long waiting time. The result was dissatisfaction from the legal profession with the arrangements for legal visits at SULHC.

14.34 As a THA handling a large number of APs at the same time, outsiders visiting APs at the centre, such as lawyers and family members of the APs, would need to contact the officers there. However, there was only one landline available for outside communications at SULHC. Lawyers could only call this single landline to contact the officers inside SULHC. Moreover, the mobile network in the area of SULHC was unstable (also see paragraph 14.38 below). It was therefore difficult for the lawyers to make calls and successfully reach out to the officers of the centre.

14.35 According to the relevant Police guidelines, VRI is to be used for cases in which the venue of trial may reasonably be expected to be the District Court. On the night of 11 August, APs might be expected to have been involved in riot-related offences for which the likely venue of trial would be the District Court. However, there was no VRI facilities at SULHC. As a THA activated for use during large-scale POEs, there should be such facilities available to avoid unnecessary logistics arrangements and movement of APs.

Remote Geographical Location

14.36 The remote geographical location of SULHC made for long the journeys for transporting APs from different arrest locations. This was further aggravated by the extra difficulties the Police encountered on 11 August as mentioned in paragraph 14.26. The journeys to SULHC for the 53 APs that night were largely in terms of hours. In principle, persons under arrest should be brought to the nearest police detention facility as soon as practicable. Long commuting time is not desirable under any circumstances. In extreme situations like 11 August, some APs might have already suffered injury at the time of arrest. In fact, Police records suggested that at least 12 APs had made medical requests immediately

upon meeting the DO at SULHC on 11 August. Against such background, transporting APs to a remote site like SULHC with long commuting time, coupled with inadequate facilities and the lack of contemporaneous and accurate records for audit trail, is not only undesirable but also vulnerable to speculations. In any event, any APs found injured at the time of arrest should be sent to hospital from the scene of arrest directly for medical treatment instead of being taken to police detention facilities first.

14.37 From the perspective of outside visitors, making visits to APs at SULHC was difficult as there is no parking space at the centre and only very limited public transportation is available in the vicinity. For those who take public transport to SULHC from city centre, it would probably take more than an hour. This is not desirable and might be considered as hindering APs' rights of being visited by interested parties like lawyers and family members.

14.38 Due to the remoteness of SULHC, the mobile network coverage in the area is unstable. Officers inside the centre might not be able to use their mobile phones to communicate with outsiders. As explained by the Police regarding the situation on the night of 11 August, officers on guard at the main gate did not inform the officers inside SULHC and instead advised the lawyers to call the centre. Lawyers arriving at SULHC might not be able to use their mobile phones to call the landline of the centre and were thus left with no means to contact police officers. A choice of a less remote site as a THA would reduce the risk of communications breakdown.

Manpower Strained

14.39 There was only one DO with four police officers to support his administrative work on 11 August. Such manpower strength was inadequate for the heavy administrative workload from the large number of APs on that night, such as arranging medical treatments and legal visits as well as maintaining accurate and contemporaneous records for these arrangements. In fact, the Police was unable to maintain a complete set of records in relation to the medical treatment and legal visit arrangements for all APs due to the chaotic situation.

14.40 In terms of logistical arrangements, SULHC had to request further manpower for escorting injured APs to hospital. Officers were subsequently deployed to reinforce such duty. This demonstrated that the original manpower allocated for operating SULHC as a THA was not sufficient to cater for extra contingencies.

Recommendations by the IPCC under Section 8(1)(c) of IPCC Ordinance

Manpower

14.41 The arrest of a large number of APs at many locations on 11 August clearly presented logistical and law enforcement challenges for the Police management and the officers on site. The law enforcement challenges were of two different kinds: (1) maintaining law and order in the face of widespread continuing violent protests, and (2) dealing with a large number of APs spread over a large number of places. When faced with continuing violence, commanders on site would have no alternative but to give priority to crowd dispersal, clearance of blocked traffic routes and protection of the lives and property of those affected by the protests. However, those arrested do have the right to be read their rights and to have access to medical attention while at the same time for APs reasonably suspected to have committed crime, adequate arrangements must be made by the Police Force to perform its duty of bringing such persons to justice. This is an important balance of priorities which the IPCC recommends that the Commissioner of Police (Commissioner) should review.

14.42 In a situation where large numbers of arrests were likely, the Commissioner should review riot control manpower requirements with a view to strengthening the logistical and manpower deployments to deal with APs during large-scale POEs. The IPCC notes that crime wing officers were already deployed in POEs to deal with arrests. However, equal attention should be devoted to ensuring that APs are aware of their rights and are given access to timely medical attention. There are already Police guidelines for reading rights to APs and ensuring that persons injured are given access to medical treatment. This review should consider whether current guidance are sufficiently clear to ensure the attainment of the dual objectives of (1) maintaining law and order and (2) bringing offenders to justice while respecting their rights. This review should also consider whether the Police Force need augmentation in training, manpower and technology, bearing in mind the possibility of future large-scale POEs in which there could be large numbers of APs.

14.43 As to manning a THA, the experience on 11 August suggests that more manpower resources, along with improved facilities (see paragraph 14.44 below), should have been allocated to ensure the effective and efficient discharge of the Police administrative work in handling a large number of APs at the same time. For instance, all medical requests should be attended to immediately, instead of being handled in batches. Manpower is one of the areas that the Police should look into for achieving this.

Facilities

14.44 The Police would use police stations as THAs to process and detain APs, where sufficient space (such as carpark, waiting areas for visitors to APs) and facilities (such as stable connection to the centralised computer system and adequate telephone landline system) for processing APs are available. In this respect, the IPCC has in 2019 visited police stations where the Police Force was rolling out enhancements of the facilities for processing and detaining APs.[19] The IPCC was informed that these facilities have been designed to ensure that APs are informed of their rights, that legal visits are facilitated to protect client/lawyer confidentiality and that there are adequate safeguards for APs during detention. These facilities also established an audit trail involving archived CCTV footage and computer records which can be used for supervision and complaint investigation. The IPCC recommends that these enhancements should be implemented soonest possible in all police stations. If a place outside a police station is used as a THA in future, then such THA should have equivalent facilities as those in police stations.

Location

14.45 It is understandable that, when deciding on a place to serve as a THA in case of extreme situations, the Police needs to strike an optimal balance between the accessibility of the THA and the risk of it being attacked. In the case of 11 August, SULHC was too remote and some of the outside visitors to APs might have been left with no means of contact with SULHC upon arrival because the mobile network coverage was unstable in the area. The structural setup in the centre and limited public transport access to the vicinity also made these visits difficult. With regard to the transportation of APs, long journey should be avoided in an extreme situation where APs might have been injured at the time of arrest. Having absorbed the experience of 11 August, the Police should consider identifying less remote sites as THAs in case such need arises in future. The location should also take into account the availability of hospitals and ambulance depots within reasonable distance.

Conclusion

14.46 SULHC was undoubtedly capable of holding a large number of APs but with its limitations in setup and equipment, it was not suitable for use as a THA on that occasion. Future THAs for mass arrests must be designed to match the standards now available in police stations for processing and detaining APs and operated with separate logistical and recording

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[19] IPCC Press Release (2019-04-04). IPCC visited the enhanced detention facilities at the North Point Police Station. Retrieved from https://www.ipcc.gov.hk/doc/en/pr/pr_20190404_e.pdf

arrangements to deal with APs as recommended above. The Police should also review and design a policy of requirements or factors for consideration in identifying a venue to be designated and activated as THA for mass arrests.

CHAPTER 15

PERCEPTIONS OF POLICE OFFICERS, PROTESTERS AND GENERAL PUBLIC

Introduction

15.1 In order to understand the perceptions of police officers on the one hand, and the perceptions of protesters and the general public on the other, the IPCC commissioned two studies independently conducted by academics. We believe that an independent survey is necessary to enable us to understand the facts on the ground we have found. Also, these surveys may provide a useful basis for the Commissioner and for the Administration to develop future policies. That said, it must be remembered that all surveys have limitations in terms of time and methodologies (including the questions asked). Thus, the reader must make his or her own judgment when considering the results of these surveys.

15.2 Complaints arise from police officers' execution of duty during their encounter with members of the public. Whilst it is natural to assume that a complaint is made on the basis of the objective facts of the interaction between the concerned police officer(s) and the complainant, the complainant's perception of (1) the legality of his own act, (2) the legitimacy of the police officer's action in response to the complainant's act, and (3) the police officer's attitude towards the complainant are actually the deciding factors leading to the complainant lodging a complaint. Conversely, the police officer's perception of and attitude towards the complainant / his act, and his role as a law enforcement officer all have bearing on the action he takes that gives rise to a complaint. The perception of the complainant and the concerned police officers on each other and their acts and action are pivotal in leading to a complaint, regardless of whether there is any substance in the complaint.

15.3 From June 2019 to February 2020, police action in the Public Order Events (POEs) gave rise to 542 Reportable Complaints (RCs) and 1 099 Notifiable Complaints (NCs), totaling 1 641 complaints. From complaints handling and complaints prevention points of view, it is useful for the IPCC to understand the perceptions of frontline police officers, protesters and general public in respect of the following, so as to facilitate the IPCC in the process of making relevant recommendations to the Force:

(a) To find out the attitude of police officers towards members of the public, peaceful protesters, and the violent acts of some of the protesters.
(b) To find out how police officers perceive their policing work in the POEs, the Police Force's handling of the POEs, in particular the use of force in response to the violent

acts of some of the protesters, and their supervisors and colleagues as a team.

(c) To find out whether police officers have any job satisfaction given the high level of stress.

(d) To find out causes as well as aspirations for actions in the POEs taken by the stakeholders (i.e. protesters) during the survey period.

15.4 To this end, the IPCC commissioned academics from the University College London (UCL) and the Centre for Communication and Public Opinion Survey (CCPOS) of The Chinese University of Hong Kong (CUHK) to conduct a survey on randomly selected police officers and to carry out a research on protesters and the general public respectively. This chapter presents a summary of the results of the two surveys.[1] Full reports of the two surveys can be found on IPCC's website.

Survey on Police Officers by Academics from UCL

15.5 The Hong Kong Police Force states the Common Purpose and Values of its members, as follows[2]:

"Our Common Purpose

The Hong Kong Police Force will ensure a safe and stable society by:

- upholding the rule of law
- maintaining law and order
- preventing and detecting crime
- safeguarding and protecting life and property
- working in partnership with the community and other agencies
- striving for excellence in all that we do
- maintaining public confidence in the Force

Our Values

- Integrity and Honesty
- Respect for the rights of members of the public and of the Force
- Fairness, impartiality and compassion in all our dealings

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1 In summarising the results of the two surveys in this chapter, i.e. paragraphs 15.6 -15.44, the term 'protests' is used to denote POEs for simplicity sake.

2 HKPF Website, https://www.police.gov.hk/ppp_en/01_about_us/vm.html

- Acceptance of responsibility and accountability
- Professionalism
- Dedication to quality service and continuous improvement
- Responsiveness to change
- Effective communication both within and outwith the Force"

The community relies upon police officers sharing the above-stated Common Purpose and Values, when they perform their law enforcement duties. The last ten months have been a time of extreme stress for members of the Police Force. The purpose of this survey is to see if the Common Purpose and the Values shared by members of the Police Force have in any way been dented.

15.6 The survey on police officers conducted by the academics from UCL is comprised of three parts:

(a) online survey done by way of a questionnaire with 485 randomly selected frontline police officers;
(b) face-to-face individual interviews with 18 randomly selected police officers; and
(c) discussion with two focus groups with seven randomly selected police officers in each group.

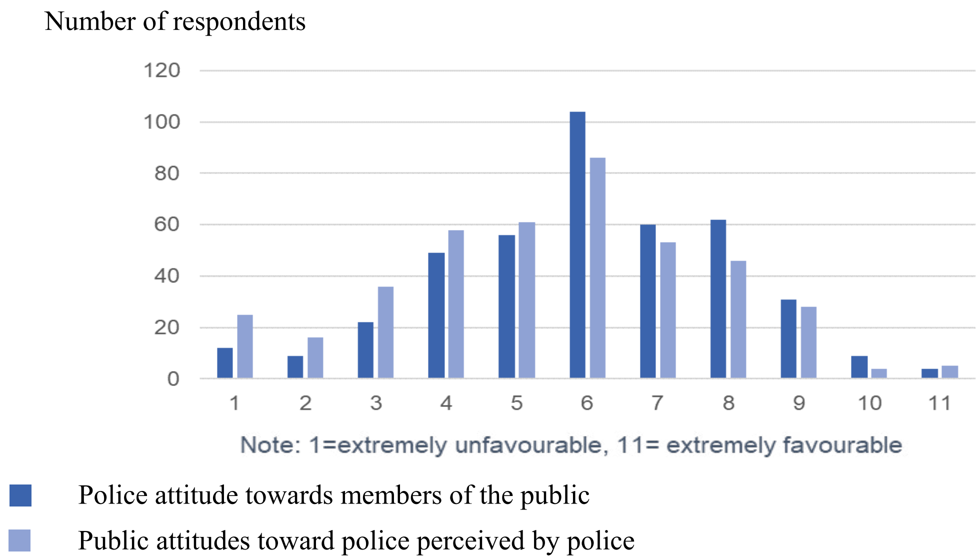
15.7 It was carried out between 21 October 2019 and 1 November 2019, at the mid-stage of the protests. The purpose of the survey is "*to provide insight into the current experiences, ideas, attitudes and perceptions of frontline police officers, many of whom had been dealing with the recent public order events.*"[3] The results of the survey are summarised as follows:

<u>Police Officers' Attitude towards the Public</u>

15.8 The respondents generally held positive attitudes towards members of the public and recognised the importance of having good police-public relations. They tended to think the public felt the same way about the Police. 75% agreed that it is valuable to understand the needs of communities and 59% concurred that it is important to listen to members of the public.

[3] The full report is on the IPCC website https://www.ipcc.gov.hk (to be updated)

Perceptions of Overall Police-Public Attitudes



15.9 However, there were mixed and diversified views about whether the recent POEs had affected relationships between the Police and the public.

(The blue speaking bubbles in this chapter are selected quotes from the respondents denoting the typical or most representative responses/ views to the respective questions posted.)

> "The police force has long received the very strong popular support from the public…I still believe the police force is commanding majority of support from citizens"

> "I can feel that things have changed, mainly with the younger generation. They are very against the police"

Police Officers' Perception of Peaceful Protestors

15.10 83% of the respondents concurred that peaceful protests should be facilitated and 58% agreed that '*Police should work with these protesters to ensure peaceful protest is possible*'. However, 61% were concerned that peaceful protestors did not respect the law and were ambivalent about the possibility of policing the peaceful protests by consent.

> "I have no problem with them having their own ideal, their own cause, but to fight for that they have been doing something illegal and this is what I can't accept"

> "Before June we were only provoked or challenged by some gangsters or criminals. Since June, the so-called yellow camp, maybe they don't break the laws, but even they will be radically preventing us from doing our job"

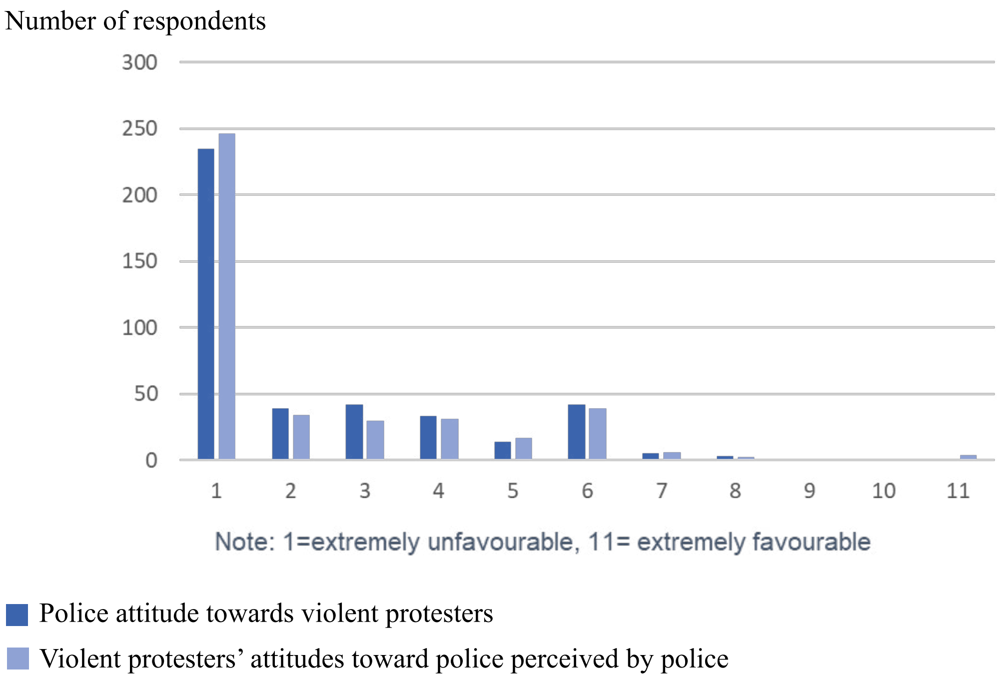
15.11 Officers felt a greater sense of distance from the peaceful protesters than from the general public. Most of the officers who had a generally unfavorable view of the peaceful protesters felt that the peaceful protesters also had an unfavourable view of the Police.

Police Officers' Perception of Violent Protestors

15.12 Respondents' assessments of the violent protests and the violent protesters were much more negative. 90% were of the view that the violent protestors demonstrated a lack of respect for the law and only 22% agreed that '*Police should work with these violent protesters to ensure peaceful protest is possible.*' Most respondents felt a great sense of distance from the violent protestors, held an extremely unfavourable view of violent protesters, and thought the violent protesters held similar views of the Police.

> "For some rioters, they are actually just using lots of excuses to justify their violent acts. And for those violent people, no matter how you talk to them, I don't think you can get your expected outcome"

Overall Perceptions of Relations between the Police and Violent Protesters

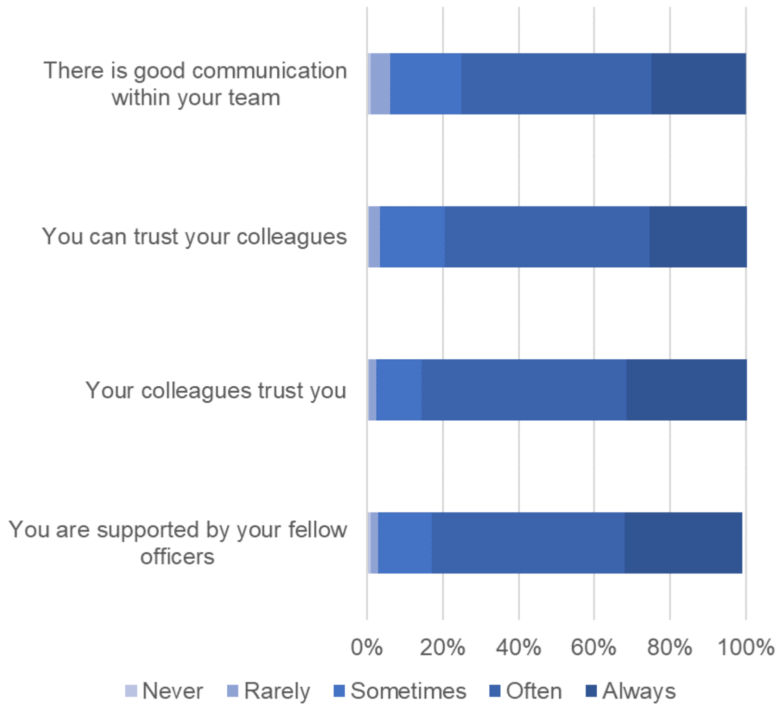


Police Officers' Experience of Policing Protests

15.13 Officers in the survey spent an average 47% of their time policing POEs since June 2019 (up to the time of the survey in October 2019), overall, they worked an average of 5.6 days a week and an average of 13.5 hours a day. In the interviews and focus groups discussions, all officers spoke about the longer working hours during the protests period.

15.14 50% of the respondents had experienced at least one encounter of verbal confrontation with protesters. Use of force and being attacked and injured were less prevalent experiences – 36% reported having been attacked, and 20% injured, during protests policing, and 32% reported having used force in the POEs.

15.15 Respondents tended to have very positive experience of peer support and felt that the recent events had made relationships within the Police Force stronger by creating more opportunities for bonding with peers and more opportunities to work closer with colleagues. A majority of the respondents often felt that they were trusted and supported by fellow officers, that they in turn were trusted by their colleagues, and that there was good communication within their team (see chart below).



15.16 Police identity was important to most officers. 82% of the respondents agreed that '*Being a police officer is important to who I am*' while 84% felt strong ties with other officers.

<u>Police Officers' Perceptions of Their Supervisors and the Police Organisation</u>

15.17 Respondents' opinions of their immediate supervisors tended to be positive. 71% said their supervisors always treated them with respect. Nonetheless, between one third and one half of the respondents thought their supervisors treated them with procedural fairness only sometimes or less often. Officers' perception of distributive justice (i.e. the fairness of rewards and work allocations) was less positive. Only 33% agreed they were rewarded fairly for the work they did and 33% agreed that the amount of work they were expected to do was fair.

<u>Police Officers' Perceptions of Work Related to Protests</u>

15.18 Respondents had mixed views on their work in the protests. 51% were positive about how the Police Force had handled the POEs, but only 29% felt the Police Force had done its best to deal with the pressures the protest events had placed on the officers.

15.19 Officers thought that the use of force by the Police throughout the protests was reasonable, justified and proportionate to the situations.

> "We have been very restrained in our enforcement over the past four months. We are not the kind of very violent or triad, gang-like police officers like some protesters or some people would call us. If we were really that aggressive and violent in our enforcement, this campaign wouldn't have lasted four months"

> "As a police officer, every act we take we should be held accountable to that act. So, I believe every act we have taken is based on careful deliberation and consideration"

Only 22% were of the view that they had been ordered to engage in policing activity that made them feel uncomfortable.

Police Officers' Self-Image and Policing Ideals

15.20 Respondents had a relatively strong sense of their own legitimacy as guardian of the peace. 68% felt confident in the authority vested in them. However, many officers were less clear about their ability to assert their authority, with only 46% feeling that they had enough authority to do their job well.

15.21 Most respondents felt it was important to treat members of the public in a procedurally just way. 55% agreed '*We should treat everyone with the same level of respect regardless of how they behave*'.

Police Officers' Job Satisfaction and Stress

15.22 Job satisfaction among the respondents was generally high. 64% felt satisfied with their job as a police officer and 63% said they would not consider taking another job.

15.23 Levels of stress were also high, but not overwhelming. 28% often felt tense or uptight, 43% often felt angry, and 43% often felt upset. Stress stemmed from a number of

different sources, including long working hours and exhaustion, having less time to spend with family and friends, on-the-job stress, and worry about their own and their family's safety.

Survey on Protesters and the Public by CCPOS of CUHK

15.24 The survey on protesters and members of the public conducted by the academics from CCPOS of CUHK is comprised of two parts, namely :

i. onsite surveys interviewing 17 233 randomly selected protesters at 26 mass rallies and demonstrations held from June to December 2019; and

ii. telephone surveys from 7 November to 13 December 2019 with 2 008 members of the public whose telephone numbers were randomly selected. Data from similar telephone surveys conducted by CCPOS between May and October 2019 were used for trend analysis, thus creating a database of 5 907 members of the public being talked to between May and December 2019.

15.25 The purpose of the survey is to (1) "*identify attitudes towards/amongst key stakeholders including views on the general protesters, protesters who took violent action, the Police, the local community etc.*" including public sentiment towards the Police and the protesters, and (2) "*to find out causes as well as aspirations for actions (violence) taken by the protesters during the study period*" and the public opinion towards the driving force for the protests.[4] The results of the survey are summarised as follows :

Onsite Surveys Results

(I) Protesters' Protest Motivation

15.26 'Call for the withdrawal of the Fugitive Offenders Bill' was the 'very important' motivation for the onsite survey respondents to take part in protests at an early stage, according to 85.1% to 94.8% of the respondents interviewed between June and August 2019. Despite the HKSAR government's repeated reiteration that the bill was 'suspended' or 'dead', protesters' demand that the bill be completely withdrawn remained strong until the HKSAR government announced the withdrawal of the bill on 4 September 2019.

15.27 Other 'very important' motivations for the respondents to participate in protests included (1) 'Dissatisfaction with the Police handling of the protests', (2) 'Dissatisfaction with

[4] The full report is on the IPCC website https://www.ipcc.gov.hk (to be updated)

Police charging arrested persons for rioting' and (3) 'Call for establishment of an independent commission of inquiry', according to 80% to 90% of the respondents. The percentage of respondents rating 'Dissatisfaction with the Police handling of the protests' as a 'very important' motivation increased from 90.4% in mid-July to 98.3% at the end of July the highest.[5] The notable increase in July happened after the Yuen Long incident on 21 July 2019. The percentage was still high at 92.9% in early December 2019.

(II) *<u>Protesters' Attitude towards Radicalisation of Protests</u>*

15.28 As the protests continued, protesters increasingly believed in the efficacy of radical protest. At the early stage of the protests, 38.2% of the onsite survey respondents thought that '*radical protests could make the government heed public opinion*'. The figure rose to 60% at later stages. In June 2019, around 70% agreed that '*when the government fails to listen, the use of radical tactics by protesters is understandable*'. The percentage rose to over 90% from late July 2019 onward. The percentage of respondents who thought that '*radical protests could alienate the general public*' correspondingly decreased from 50%-60% in the early stages (June) to 30% in the later stages (October 2019 to December 2019). The respondents were less concerned that radicalisation of the protests would distance them from the general public. Only 30% of the respondents disapproved the radical tactics of the radical protesters. A majority of 80%-90% of the respondents believed the synergy between the peaceful and radical camps.

Whether agree the statements	Early stages	Later stages
(1) 'Radical protests could make the government heed public opinion' 激進的示威手段可以令政府聆聽民意	~ 40%	> 60%
(2) 'Radical protests could alienate the general public' 激進的示威手段會令社會上其他人反感	~ 50% to 60%	~ 30%
(3) 'The maximum impact could be achieved only when peaceful assembly and confrontational actions work together' 和平集會和衝擊行動互相配合才可以達到最大效果	~ 70% to 80%	~ 80% to 90%
(4) 'When the government fails to listen, the use of radical tactics by protesters is understandable' 在政府一意孤行的情況下，抗爭者採取激烈行動是可以理解的	~ 70%	> 90%

[5] Page 43 of the report

Results of Telephone Surveys with Members of the Public

(I) Public's View of the Protests

15.29 62.3% of the telephone survey respondents supported the protests for the following main reasons:

(a) Dissatisfied with HKSAR government and the central government (33.5% of the respondents);
(b) Oppose the Fugitive Offenders Bill (29%); and
(c) Protect and strive for democracy, freedom, justice and rights (28%).

Dissatisfied with Hong Kong SAR government or the central government	33.5%
Oppose the amendments to FOO	29.0%
Protect and strive for democracy, freedom, justice and rights	28.0%
Identify with the movement/protesters' demands and ideas	11.5%
Dissatisfied with the police	10.5%
Protect 'one country, two systems'	4.2%
Dissatisfied with current social and political conditions	2.0%
Support young people and the protesters	0.9%
Others	0.4%
Don't know/refuse to answer	4.5%
(Sample size)	(1,251)

15.30 18% of the respondents were against the protests for the following main reasons:

(a) Oppose protesters damaging society or harming citizens (46.2%); and
(b) Oppose protesters' use of violence or illegal acts (25.7%).

Oppose protesters' damage to society or harming citizens	46.2%
Oppose protesters' use of violence or illegal acts	25.7%
Do not disapprove the amendments to FOO	16.7%
Do not identify with protesters' demands or their ways of protesting	14.6%
Others	2.8%
Don't know/refuse to answer	4.3%
(Sample size)	(362)

15.31 17.9% were in between supporting and not supporting the protests.

(II) Public's Attitude towards Radicalization of Protests

15.32 In spite of the protesters' positive views on radical actions, telephone survey respondents, however, largely disagreed with the radical actions taken by the radical protesters. The telephone survey respondents considered the following actions of the protestors most unacceptable:

(a) Hurling petrol bombs at police officers or police stations (48.5% of respondents);
(b) Use of force during conflicts against people with different views (48.4%);
(c) Damaging MTR facilities and traffic lights, etc. (45.6%);
(d) Use of weapons to attack police officers (45.2%); and
(e) Vandalising specific stores (43%).

Hurling petrol bombs at police officers or police stations	48.5%
Use of force during conflicts against people with different views	48.4%
Damaging MTR facilities and traffic lights, etc.	45.6%
Use of weapons to attack police officers, such as steel pipes, slingshots, throwing bricks, etc.	45.2%
Vandalising specific stores	43.0%
Occupying the airport	39.0%
Besieging and attacking government buildings, such as police stations and central government offices, etc.	36.0%
Non-cooperation movement, such as obstructing the operation of MTR and government departments	31.3%
(Sample size)	(2008)

15.33 Most telephone survey respondents (66.8% to 82.8%) were of the view that 'when participating in protests in Hong Kong, it is a must to uphold the peaceful and nonviolent principle. However, 55.7% to 68.4 % of the respondents considered it understandable for protesters to carry out radical actions when peaceful protests failed to make the government respond to the demands. Whilst 37.7% believed that radical protests could be more effective than peaceful protests, 33.5% disagreed and 27.1% was neutral.

Whether agree the statements	Second wave (June 17 – June 20)	Third wave (August 7 – August 13)	Fourth wave (September 5 – September 11)	Fifth wave (October 8 – October 14)	Sixth wave (November 7 – December 13)
(1) 'When participating in protests in Hong Kong, it is a must to uphold the peaceful and non-violent principle' 在香港參與抗議活動，一定要堅持和平非暴力原則	82.8%	71.7%	69.4%	66.8%	68.1%
(2) 'When large-scale peaceful protests fail to make the government respond to demands, it is understandable for the protesters to carry out radical actions' 當大型和平示威都未能令政府回應時，示威者有激烈行動係可以理解	--	--	55.7%	59.2%	68.4%
(3) 'Radical protests are more effective than peaceful, rational and non-violent protests' 激進示威手段比起和平、理性、非暴力抗爭行動更有效用	--	--	--	--	37.7%

(III) Public's Perception of Police Performance

15.34 72.6% of the telephone survey respondents expressed dissatisfaction with the overall performance of the Police during the protests. 69.5% of the respondents attributed the main reason of their dissatisfaction to '*Police use of excessive force*', 13.2% to '*abuse of power / violation of protocol' and 12.6% to 'arbitrary arrest*'.

	Daily policing unrelated to POE		Overall performance during the movement		Handling fierce conflicts	
Very satisfactory	8.9%	23.2%	6.8%	13.7%	6.7%	13.6%
Somewhat satisfactory	14.3%		6.9%		6.9%	
So-so	28.9%		13.0%		14.8%	
Somewhat unsatisfactory	12.7%	45.7%	13.0%	72.6%	15.4%	70.6%
Very unsatisfactory	33.0%		59.6%		55.2%	
Don't know/refuse to answer	2.2%		0.7%		1.1%	
Total (Sample size)	100% (2,008)		100% (2,008)		100% (2,008)	

Use of excessive force/too violent	69.5%
Abuse of power/violation of protocol	13.2%
Arbitrary arrest	12.6%
Lying/poor response to public criticisms	12.5%
Unfair or selective law enforcement	7.8%
Excessive use of tear gas	6.2%
Bad attitude/emotionally out of control	4.6%
Hiding identity (i.e., non-disclosure of Police Warrant Card and police identification number/wearing masks)	2.7%
Poor or unreasonable handling of the protests	1.5%
Unable to control the protests or deal with the protesters	1.3%
Others	4.5%
Don't know/refuse to answer	1.8%
(Sample size)	(1,458)

15.35 Public perception on Police performance in daily policing work was moderately on the positive side when compared with that during the POEs, with 45.7% of the respondents expressing dissatisfaction. 33.1% of the respondents attributed the main reason of their satisfaction (on overall performance of the Police) to '*Police maintain public safety and order / protect people's livelihoods*' and 32.8% to '*Police have exercised restraint / Police performance meets the standards*'.

Maintain public safety and order/protect people's livelihoods	33.1%
The police have exercised restraint/their performance meets the standards	32.8%
They perform their job according to the law/they have a duty to conduct law enforcement	23.8%
There is a need to deal with the protesters	9.2%
Others	3.8%
Don't know/refuse to answer	2.8%
(Sample size)	(275)

(IV) *Public's Perception of Police Actions*

15.36 The telephone survey respondents were largely displeased with many police actions in the protests. 78.9% and 77.3% of the respondents respectively considered "*Firing live rounds during confrontations*" and "*Non-disclosure of police identification numbers on uniforms*" as the most unacceptable police actions. On a scale of 0 to 10, the scores of the police actions that the public was discontented with are as follows:

(a) Firing live rounds during confrontations (1.66 – most unacceptable);
(b) Non-disclosure of police identification numbers on uniforms (1.78);
(c) Handling conflicts between people with different political views (2.19);
(d) Dealing with journalists in conflict situations (2.32);
(e) Disguising as different identities at protest scenes (2.33); and
(f) Dispersing protesters with tear gas, rubber bullets, pepper spray, etc. (2.54).

(V) *Public's Trust in the Police*

15.37 On a scale of 0 to 10, the score of public trust in the Police dropped from 5.6 in May 2019 to 2.6 in October 2019. Between September and October, roughly 50% of the telephone survey respondents gave a zero to the trust score. Although the trust score climbed back to

2.85 in November and December, it was still low in comparison with that before the protests started.

(VI) Public's Perception of Police's Image

15.38 68.8% of the telephone survey respondents stated that their image of the Police had worsened as the protests evolved. According to the respondents, the following events impaired the image of the Police:

(a) The Yuen Long incident on 21 July 2019 (according to 82.2% of respondents);
(b) The Prince Edward MTR Station incident on 31 August 2019 (according to 49.8% of respondents); and
(c) The firing of live round at a protester on 1 October 2019 (according to 38.3% of respondents).

White-shirted people attacking citizens in Yuen Long on July 21	82.2%
Arrest operations at Prince Edward MTR station on August 31	49.8%
Firing of a live round at a protester on October 1	38.3%
The handling of detained people at the San Uk Ling Holding Centre	29.0%
A female protester suffering a severe eye injury on August 11	22.3%
Firing of tear gas at Kwai Fong MTR station on August 11	18.6%
Dispersion of protesters surrounding the Legislative Council on June 12	13.5%
Dispersion of protesters occupying the Legislative Council on July 1-2	9.8%
Others	3.8%
Don't know/refuse to answer	1.4%
(Sample size)	(1,382)

15.39 Some respondents had a better impression of the Police as the protests evolved. Most of them said police officers performed their duties conscientiously and dutifully despite the difficulties faced by them. 40.3% of those respondents appreciated the Police because police officers had to endure insults from the protesters. 38.5% appreciated the Police because police officers and their families were subject to harassment and doxing.

Have performed the job conscientiously and dutifully despite difficulties	67.6%
Had to endure insults made by protesters	40.3%
Had to endure harassment and doxing of themselves and their families	38.5%
Have suffered injuries while on duty	23.8%
Others	0.0%
Don't know/refuse to answer	0.5%
(Sample size)	(146)

(VII) Public's Perception of Protesters' Image

15.40 33.9% of the respondents thought the image of the protesters were undermined by the following radical actions, in the order of the most to the least unfavorable :

(a) Use of force against people with opposing views (52.7%);
(b) Damaging MTR facilities and traffic lights (45.5%);
(c) Arson (44.7%); and
(d) Hurling petrol bombs (42.5%).

Use of force against people with different views during conflicts	52.7%
Damaging MTR facilities and traffic lights, etc.	45.5%
Arson	44.7%
Hurling petrol bombs	42.5%
Vandalising specific stores	30.4%
Occupying the airport	27.5%
Violent attacks on police officers	24.5%
Non-cooperation movement	18.5%
Other	1.1%
Don't know/refuse to answer	2.2%
(Sample size)	(681)

(VIII) Public's Views on Police Use of Force

15.41 More respondents perceived that the Police, rather than the protesters, had exercised excessive force. In the surveys from August to December, 67.7% to 71.7% of the telephone survey respondents opined that the Police had used excessive force against protester, whereas 17.4% to 22.7% disagreed. Respondents who were of the view that the Police had used excessive force were asked in the last survey whether they had experienced or witnessed any Police excessive use of force, 67.5% replied 'no' and 32.3% said 'yes'.

Police use of excessive force[6]

	(August 7 – August 13)		(September 5 – September 11)		(October 8 – October 14)		(November 7 – December 13)	
Strongly agree	51.4%	67.7%	57.1%	71.7%	53.7%	69.0%	58.1%	71.1%
Somewhat agree	16.3%		14.6%		15.3%		13.0%	
So-so	8.3%		7.3%		9.5%		10.5%	
Somewhat disagree	7.7%	22.7%	5.9%	20.6%	5.7%	20.6%	5.9%	17.4%
Strongly disagree	15.1%		14.7%		14.9%		11.5%	
Don't know/ Refuse to answer	1.2%		0.4%		0.9%		1.0%	
Total (Sample size)	100% (842)		100% (623)		100% (751)		100% (2 008)	

Question: Do you agree with the statement, '*The police have used excessive force*'? Do you strongly agree, somewhat agree, so-so, somewhat disagree or strongly disagree?

Whether the respondents had experienced or witnessed any Police excessive use of force

No	67.5%
Yes	32.3%
Don't know/refuse to answer	0.2%
Total (sample size)	100% (1,428)

(IX) Public Views on Protesters' Use of Force

15.42 In the surveys between August and December, 32.8% to 41.4% of the telephone survey respondents considered that the protesters had used excessive force, whereas 29.3% to 37.4% did not think so. In October, the figure was the highest at 41.4%, but it dropped to 32.8% in November and December.

[6] Table 43 of the Report

Protesters' use of excessive force[7]

	(August 7 – August 13)		(September 5 – September 11)		(October 8 – October 14)		(November 7 – December 13)	
Strongly agree	22.1%	39.5%	21.2%	39.4%	22.0%	41.4%	17.1%	32.8%
Somewhat agree	17.4%		18.2%		19.4%		15.7%	
So-so	29.4%		26.6%		28.7%		28.3%	
Somewhat disagree	14.7%	29.8%	16.1%	31.5%	13.8%	29.3%	17.2%	37.4%
Strongly disagree	15.0%		15.4%		15.5%		20.2%	
Don't know/ Refuse to answer	1.4%		2.5%		0.6%		1.5%	
Total (Sample size)	100% (842)		100% (623)		100% (751)		100% (2 008)	

Question: Do you agree with the statement that '*the protesters have used excessive force*'? Do you strongly agree, somewhat agree, so-so, somewhat disagree or strongly disagree?

15.43 Most of the respondents, from 82.8% in June the highest to 66.8% in October the lowest, held that protestors should uphold peaceful and non-violent principles.8 Nonetheless, 55.7% to 68.4% expressed understanding and/or sympathy towards violent actions taken by the protesters.[9]

Views on upholding the peaceful and non-violent principle

	(June 17 – June 20)		(August 7 – August 13)		(September 8 – September 11)		(October 8 – October 14)		(November 7 – December 13)	
Strongly agree	65.0%	82.8%	52.3%	71.7%	47.8%	69.4%	45.7%	66.8%	42.2%	68.1%
Somewhat agree	17.9%		19.3%		21.6%		21.1%		25.9%	
So-so	10.4%		17.7%		18.3%		19.2%		18.7%	
Somewhat disagree	4.1%	6.2%	6.5%	9.6%	7.2%	10.5%	9.0%	13.5%	9.0%	12.5%
Strongly disagree	2.1%		3.1%		3.4%		4.5%		3.5%	
Don't know/ Refuse to answer	0.6%		1.0%		1.7%		0.5%		0.8%	
Total (Sample size)	100% (635)		100% (842)		100% (623)		100% (751)		100% (2 008)	

Question: Do you agree that '*when participating in protests in Hong Kong, it is a must to uphold the peaceful and non-violent principle*'? Do you strongly agree, somewhat agree, so-so, somewhat disagree or strongly disagree?

7 Table 45 of the Report
8 Table 38 of the Report
9 Table 39 of the Report

Whether agree the statements	Second wave (June 17 – June 20)	Third wave (August 7 – August 13)	Fourth wave (September 5 – September 11)	Fifth wave (October 8 – October 14)	Sixth wave (November 7 – December 13)
(1) 'When participating in protests in Hong Kong, it is a must to uphold the peaceful and non-violent principle' **在香港參與抗議活動，一定要堅持和平非暴力原則**	82.8%	71.7%	69.4%	66.8%	68.1%
(2) 'When large-scale peaceful protests fail to make the government respond to demands, it is understandable for the protesters to carry out radical actions' **當大型和平示威都未能令政府回應時，示威者有激烈行動係可以理解**	--	--	55.7%	59.2%	68.4%
(3) 'Radical protests are more effective than peaceful, rational and non-violent protests' **激進示威手段比起和平、理性、非暴力抗爭行動更有效用**	--	--	--	--	37.7%

(X) Accountability for the Escalation of Violence

15.44 In terms of accountability for the escalation of violence in the POEs, 50.5% of the telephone survey respondents in September 2019 to 58.9% in November and December 2019 opined that the Government should bear the major responsibility. Only 18.1% to 22.5% thought it should be the Police and 9.6% to 12.7% said the protesters. 17.8% to 23.8% said the Central Government and 9.4% to 11.6% thought foreign forces should be responsible.

	First to third wave May 23 – Aug 13	Fourth wave (September 5 – September 11)	Fifth wave (October 8 – October 14)	Sixth wave (November 7 – December 13)
Central government	--	17.8%	19.3%	23.8%
SAR government	--	**50.5%**	**52.5%**	**58.9%**
Hong Kong police	--	**18.5%**	**18.1%**	**22.5%**
Pro-establishment legislators	--	4.9%	5.4%	7.0%
Pan-democratic legislators	--	9.8%	8.4%	6.8%
Protesters	--	**12.7%**	**9.6%**	**11.0%**
Foreign forces	--	11.6%	9.4%	9.9%
Others	--	0.0%	0.0%	0.0%
Don't know/refuse to answer	--	2.5%	5.7%	3.4%
(Sample size)	--	(623)	(751)	(2,008)

IPCC Observations

15.45 The results of the survey with the police officers by academics from UCL and the surveys on the protesters and the general public by CCPOS indicate a considerable gap on how they perceive one another and the POEs.

15.46 Police officers believe that they rightly take enforcement action in response to the violence and destruction caused by the protesters. They see their job as enabling peaceful protest, but when the protest turns violent, their duty is to take action to maintain law and order. The survey shows that police officers certainly felt that they were under stress but they feel that they have remained true to their professional calling as police officers.

15.47 The survey showed that protesters and a majority of the general public believed that the Police had exercised excessive force. A majority of the public does not agree with the use of force by the protesters but a significant percentage of those surveyed considered that the violent acts of the protesters was understandable.

15.48 It is not the purpose of the Study and the IPCC has no power to investigate into the reason for the great disparity between Police's self-perception and the public's perception on them. We believe the Government and the Police Force should consider how to mitigate this disparity of perception between officers and the general public. It is important for the Police Force to review on how to regain the public trust, by building on the professionalism of the Police Force.

CHAPTER 16

CONCLUSION

Introduction

16.1 Since June 2019, Hong Kong has faced its most challenging public order situation in a generation. This Study covers six incidents and two topics on grounds of complaints clustered or widespread public concern expressed. To give a perspective to these incidents and topics, the IPCC has provided an overview, a study of the police guidelines on the use of force, and two surveys, one covering the perceptions of police officers and another covering the perceptions of protesters and the general public, undertaken by independent academics. This Study provides the broad picture of the public order events (POEs) and perspective to the situation for the IPCC's effective performance of its statutory duties under section 8 of the IPCC Ordinance.

16.2 In Chapter 4: An Overview of the Public Order Events arising from the Fugitive Offenders Bill, an excerpt is cited from the Judgment of the Court of Appeal handed down on 9 April 2020 on the Judicial Review, brought by 26 current Members of the Legislative Council (LegCo) and one former Member, against the Emergency Regulations Ordinance and the enactment of the Prohibition on Face Covering Regulation. That was the Court's summation of the violence which had afflicted our community from June to October 2019, based on evidence before the Court, unchallenged by the Applicants for the Judicial Review. The following opening paragraph of the Judgment is well worth repetition here:

> ***"1. Since June 2019, Hong Kong has experienced serious social unrests and public disorders marked by protests, escalating violence, vandalisms and arsons across the territory. It is a dire situation that has not been seen in the last 50 years".***

16.3 The "dire situation" described above is our recent history from June up to October 2019. Regrettably, the violence and vandalism did not abate after October 2019 but continued with increasing ferocity and frequency. In December 2019, it de-escalated somewhat, though the protests persisted until the COVID-19 epidemic began to afflict Hong Kong. These protests in smaller groups have surfaced regularly on a monthly basis in apparent commemoration of the incidents in Yuen Long, Prince Edward Station and Tseung Kwan O, regardless of the laws prescribing social distancing and the Government's advice on staying home.

16.4 The Police action in the Yuen Long Incident and other incidents resulted from the need for law enforcement action. While the Police handling of these incidents leaves room for improvement and in the case of the Yuen Long Incident, even much more, the hate messages on the internet after these events, coupled with the threats at Police quarters from time to time, were blatant propaganda with little or no factual basis, aimed at smearing the Police Force and impeding police officers from performing their duty to maintain law and order. The IPCC hopes that the public would base their opinions on the facts, including the facts set out in this Report.

The Broad Picture: the Public Order Events since 9 June 2019

Essential Features

16.5 The month-by-month overview of the pubic order events from June 2019 to March 2020 in Chapter 4 provides the broad picture of the protests. From this, the following significant features emerge:

(a) Increase in frequency of processions which were invariably followed by protests with violence;

(b) Escalation of the violence and the advent of incipient terrorism;

(c) Widespread vandalism and damage to public and private property and long-term damage to the economy; and

(d) Vigilantism resulting in the death of one man and assault of multiple victims for diversity of views.

Frequency and Tactics of Protests

16.6 The protests were characterised by the use of urban guerrilla tactics with the aphorism "Be Water" (said to originate from master of martial arts, the late Bruce Lee), in city-wide protests often covering multiple venues in MTR stations and in their vicinity. The MTR network, providing convenient commuting, has been the protesters' favoured mode of conveyance. MTR stations were seen as excellent places to delay police action, allowing time to change into inconspicuous clothing to evade police attention and thus, arrest. MTR stations and police stations nearby were also prime targets for attack. Police resources were stretched to the limit. Key features of the protests included:

(a) Continual metamorphosis of the protesters' demands from asking for withdrawal of the Fugitive Offenders Bill, an independent commission of inquiry into police

brutality, release and amnesty for all persons arrested or involved in the protests to calls for universal suffrage, disbandment of the Police Force and liberation of Hong Kong;

(b) Use of the internet for spreading hatred against the Police, with threats, intimidation and attack on individual police officers in or out of duty and their families; and

(c) Escalation of violence with blocking of roads, vandalising of public and private property, disabling of major transport network and vigilantism against persons of different views.

Escalation of Violence and Incipient Terrorism

16.7 The protests were accompanied by a scale of lawlessness with a degree of violence and vandalism not seen in Hong Kong since the riots of 1967, varying from blocking roads, hurling bricks, attacking police cordons with umbrellas (some with sharpened tips), to igniting petrol bombs and setting fire on streets, defacing public and private property or vandalising banks, shops and MTR stations. From early August 2019 onwards, petrol bombs were used at almost every protest, for hurling at police officers, public and private property. The two universities occupied in November 2019 became the factories for manufacturing petrol bombs for use in the clashes with the Police outside the campus. Sling shots were in use from July 2019 onwards. Assorted potentially lethal weapons were seen being used in the streets against the Police, traffic network, public and private property.

16.8 In the past months there have been cases, where the Police have discovered bomb making materials and instruments enabling remote detonation. Guns and live ammunition were also found and the persons involved have been arrested. If these weapons had been deployed, the consequences would be unimaginable. The Commissioner of Police (Commissioner) has warned that Hong Kong may be heading into an era of terrorism.

Destruction of Property and Long-term Damage to Economy

16.9 The damage to public and private property had been significant. The full extent of the damage has not been estimated but to the extent the IPCC can gather, a list appears at Annex 1 to Chapter 4. Even this preliminary list shows a degree of destruction which no community can afford. It is not the IPCC function to estimate the direct and indirect costs, the visible and intangible damage, and the long-term detriment to the economy. An econometric study by experts would, the IPCC believes, help policy making in the future and public understanding of the long term damage that the violent protests over these months would bring to the community. The image of Hong Kong as a peaceful city for business or for pleasure has suffered a set-back that will take a long time to re-establish. The protests have left the

economy in a perilous state by the end of Lunar New Year. The COVID-19 epidemic has added to Hong Kong's economic woes with unemployment and the economic downturn deepening.

Use of the Internet

16.10 The internet, particularly the social media, was crucial in mobilising participation in the protests and providing a platform for the dissemination of propaganda, messages of hatred against the Police and unfounded claims or speculation to launch rallies, perpetrate acts of violence, and promote doxxing of police officers and their families. Annex 3 to Chapter 4 illustrates the rallying and propaganda power of the internet. Technology has not only facilitated the protests but, because of its reach, also enabled nefarious activities such as doxxing to be undertaken with impunity. The internet, as seen from the Overview (Chapter 4) and particularly the chapters on the Yuen Long Incident (Chapter 10) and the Prince Edward Station Incident (Chapter 12), has been a most effective tool to spread hate messages with little or no basis. The implications for law enforcement from such use of the internet has to be reviewed by the Police.

16.11 Propaganda on the internet about a number of tragic deaths attributed to the Police, with no more basis than mere allegation and speculation, has spread like wild fire. In June 2019, a protester fell from a scaffolding at Pacific Place, Admiralty. In the same month, two females committed suicide leaving notes urging for continuation of the protests. The Prince Edward Station Incident spawned accusations of killing by the Police. Another female whose dead body was found in the sea was alleged to have been "suicided" by the Police, based merely on speculation. In November 2019, a young university student falling to his death from height. Despite the CCTV footage released by LINK to the public showing that no police officers were present on the spot from which this unfortunate student most probably fell, the death was nonetheless used for hate messages on the internet against the Police.

Vigilantism

16.12 An elderly man was fatally hit on the head by a brick hurled at him in the course of confrontation between violent protesters and a group of local residents. Some of the perpetrators were arrested and subsequently charged with murder. Another man was set on fire for raising questions with a group of protesters. Assaults of multiple innocent individuals with opposing views were vicious and often bloody. On available information, the Study sets out, in a table in Annex 1 to and in the monthly reviews in Chapter 4, an account of these attacks.

The Role of the Police

The Public Perception

16.13 While labelling Police action as "brutality", the protesters seem to disregard their own violence, vandalism and vigilantism. It is a matter for analysis outside this Study how some among our community and the media came to the belief that the acts of the protesters were understandable while the Police, in performing their duty to stop such violent acts, was using excessive force.

16.14 Paragraphs 15.41 - 43 of Chapter 15: Perceptions of Police Officers, Protesters and General Public recount the monthly findings on attitudes towards the use of force by the Police and by the protesters. Between 67.7 and 71.7% of those surveyed believed that the Police had used excessive force while between 32.8 and 41.4% believed that the protesters had used excessive force. Although between 66.8 and 82.8 % believed in upholding the principle of peaceful and non-violent protest, yet, only 29.3 and 37.4% disagreed that the protesters had used excessive force and between 55.7 and 68.4% expressed understanding or sympathy for the violent actions by protesters. The surveys were conducted from early August up to 13 December 2019.

16.15 Public opinion surveys invariably have time and methodological constraints. The surveys did not examine how these perceptions were formed and perceptions may change with the new information becoming available in the public domain since 13 December 2019. This Study suggests that public perception could have been based mostly on messages received through social and news media. Such information, understandably, is dependent on the choices made by the media in news reporting and in the messages on the internet, and also dependent on internalisation and interpretation of such information by the respondents to the surveys. Meanwhile, it is evident that the incidents over the past months have taken a heavy toll on the image of the Police, locally and globally, and on the public trust in the Force.

16.16 The facts and data assembled in this Study provide a basis for further analysis and assessment of these perceptions. The role of the Police in the maintenance of law and order needs to be better understood by the community. The IPCC has made recommendations on Police communications with the community in this Study.

Police Role Only for Law Enforcement

16.17 This Study reveals that the protests have been driven and continue to be driven by a consistent and continuing message of hatred against the Police, repeated particularly on the internet. The message suggests that the Police had used "excessive force" in dealing with

protesters, amounting to "police brutality". The role of the Police, set out in the Police Force Ordinance (PFO), imposes on the Police Force the duty to maintain law and order. The role of the Police is prescribed by the laws of the HKSAR. They play no political role, and so their enforcement of the law in the protests is, and should be, divorced from the political ideas motivating the protests.

16.18 It cannot be over-emphasised that allegations of police brutality must not be made a weapon of political protest. Should any police officer exceed or may have exceeded the limits of the powers conferred on him by law, he is accountable under the law. That is a legal and not a political matter. In this connection, the Deputy Commissioner's Statement to the United Nations Commission of Human Rights cited in Chapter 4 (paragraph 4.8) is a clear and succinct exposition of the role and responsibility of the Police. To underline its importance, his statement is repeated below:

> "*These violent criminals preached to their followers that the end justifies the means; that breaking the law to achieve their goals was a noble cause. Police officers are not there to judge whether their proclaimed cause is a just one, or if it even makes sense. We don't have to. We are police officers. Our one and only mission is to find out whether anyone has committed a crime. If someone breaks the law, it is our lawful duty to stop him and arrest him. Whether a cause is altruistic or in fact selfserving is completely irrelevant to us. The law demands that we arrest them. The basic premise of the rule of law is that. No one is above the law. This is why I and the other 30,000 members of the Hong Kong Police have all taken the solemn oath to serve as police officers, without fear of or favour to any person and with malice or ill-will towards none. This is the truth about Hong Kong.*"

<u>*Public Order Policing for Peaceful Assembly*</u>

16.19 Public order policing aims to facilitate peaceful protest as a right to freedom of expression and assembly. This right is protected by law. Meanwhile, development or progress of civilised society is based not on use or threat of force, but on free and peaceful exchange of ideas with consensus derived from diversity of views. To strike a balance between the right of assembly and the right of other citizens to lead a normal life, public gatherings are regulated by the Pubic Order Ordinance (POO) by way of notification of public meeting or procession to the Police. The Commissioner may object to and prohibit a notified public meeting or procession "*where he reasonably considers such prohibition to be necessary in the interests of national security or public safety, public order or the protection of the rights and freedoms of others*" (section 9(1) of the POO). However, the Commissioner's prohibition is subject to appeal to the Appeal Board on Public Meetings and Processions chaired by a retired High Court Judge. This system of regulation has been held by the Court of Final Appeal to be

consistent with the Basic Law (see: *Leung Kwok Hung and Others v. HKSAR* (2005) 8 HKCFAR 229).

16.20 From June 2019 to February 2020, the Police received notifications of 300 public meetings and processions, of which they prohibited 48 as set out in the following table taken from Chapter 4 (Table 4-1):

	Jun 2019	Jul 2019	Aug 2019	Sep 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Total
Public Meeting with Letter of No Objection (LoNO)	17	33	52	18	7	20	31	14	0	**192**
Public Procession with LoNO	3	19	23	3	0	5	5	2	0	**60**
Prohibited Public Meeting	1	3	10	5	4	2	0	1	0	**26**
Objected Public Procession	0	3	9	3	3	2	0	2	0	**22**
Total number of notification	***21***	***58***	***94***	***29***	***14***	***29***	***36***	***19***	***0***	***300***

Use of Force as Allowed by Law

16.21 The use of force by anyone is unlawful, save in exceptional circumstances, as follows:

(a) Law enforcement, where the law allows the use of force under legally defined circumstances by officers empowered to enforce the law, where the law has been broken or where there is reasonable belief that the laws are about to be broken; and

(b) Self-defence of person or property or defence of the person or property of another, when faced with unlawful use of force.

16.22 From the facts collected in this Study, it can be seen that the use of force by the Police in the past months of protests has been in reaction to illegal action by protesters and for protection of themselves and others when attacked by violent protesters. The Police command structure and police guidelines are all designed to ensure that force is to be used only in the circumstances cited in the preceding paragraph.

16.23 In the past months of violent protests, roads were blocked, transport infrastructure seriously affected, public and private property defaced or damaged, and police officers and private citizens attacked. Protesters used sling shots and arrows, bricks and petrol bombs, and a variety of weapons, some potentially lethal. These are illegal acts, which could have fatal consequences.

16.24 In the face of these illegal and potentially lethal acts, the Police has had to enforce the law and to protect themselves and the community against harm. Over 590 police officers have been injured with 61 hospitalised. Confronted with danger, at times mortal danger, to life and limb, the Police has deployed less than lethal force except in 12 instances. In those 12 instances, the police officers resorted to using their service pistols with 19 live rounds fired. The three persons injured as a result have all been discharged from hospital.

16.25 As seen in Chapter 6: Police Use of Force in Public Order Policing, the Police has strict guidelines on the use of weapons and a procedure for review where live rounds are deployed. For the use of firearms at the sixth level, Police General Orders (PGO) 29-05 – "Police Open Fire – Reporting and Investigation" stipulates the submission of reports for review from different levels of command at different prescribed periods. Such reports are eventually submitted to the Director of Operations for consideration.

16.26 In compliance with the law, the Police has extensive guidelines on the use of force and a system of management review each time force is used. These cover policies, procedures and training for the use of force in law enforcement. While these are quite comprehensive, there is still room for improvement. Chapter 6 sets out recommendations for enhancing these guidelines. It is apparent from the facts gathered in this Study that the Police use of force in the past months has been in reaction to the violence directed against them and in execution of their duties under the PFO and the POO, for dispersal of crowds or for arrest of offenders. Up to the end of February 2020, the Police has arrested 7 613 persons.

16.27 All police officers are personally accountable for their use of force. The complaints system, which this Study explains, is intended to ensure that if any police officer exceeds the bounds of the law and the requirements of police regulations, he is held accountable.

IPCC's Observations on Aspects Studied

Public Perception

16.28 The respondents of the public opinion surveys from August to December 2019 considered the three events which most attracted adverse opinion against the Police to be (paragraph 15.36):

(a) The Yuen Long Incident on 21 July 2019 (82%);

(b) The Prince Edward MTR Station Incident on 31 August 2019 (50%); and

(c) The firing of a live round on a protester on 1 October 2019 (38%).

<u>*Facts Covered in This Study*</u>

General Observations

16.29 This Study aims to provide a broad picture of the protests over the past months and the Police action in response. This Study does not deal with specific complaints or the conduct of individual officers. Complaints would first be processed by CAPO. Cases involving individual officers are subject to the due process of law or internal procedures. More on this is at paragraphs 16.35-16.38 below.

Shooting Incidents

16.30 The shooting incident on 1 October 2019 together with other shooting incidents are addressed in Chapter 4 (paragraph 4.281) and Chapter 6 (paragraphs 6.25-6.33). In all 12 shooting incidents, the officers concerned were isolated and were at risk from potentially lethal force or their service pistols were in danger of being snatched. The police guidelines allow them to use firearms in such circumstances but a standard reporting and investigation procedure will follow each incident. According to the Police, all these cases have already been subject to Police management inquiry and the circumstances found to be within regulation. No Reportable Complaint (RC) has been received on use of firearms.

Specific Incidents

16.31 Each chapter of the Study dealing with individual incidents concludes with observations of the IPCC, based on the findings in each case. Each specific incident has been studied in detail and for a complete understanding of these incidents, the individual chapters on each specific incident should be read. Highlighted here are the more important observations made in relation to the incidents:

(a) *9 June 2019: Clashes outside LegCo*

This incident marked the first major clashes between the protesters and the Police. The clashes, involving mainly pushing and pulling, were relatively mild compared to other incidents that followed. The Police was not proactive in the use of force. They were responding to the situation where they were in face of the violence of

some violent protesters.

CAPO received 23 RCs and five Notifiable Complaints (NCs).

(b) *12 June 2019: CITIC Tower Incident*

This incident has attracted considerable public concern because protesters appeared to have gone into CITIC Tower for refuge and dispersal. The IPCC will not make any judgement whether the Police action in this incident was proper or not due to ongoing judicial review proceedings concerning this Incident.

However, the IPCC findings in this Study show that while the Police had used tear gas, they did at the same time, form cordon lines to direct protesters to disperse into Harcourt Road through Tim Mei Avenue. Meanwhile, multiple announcements were heard from an amplified source near the entrance of CITIC Tower telling people to go to the stage for water, mask and saline, and to enter into the building for shelter (on the information available to the IPCC, the only public address system in the vicinity at the time was that used by Civil Human Rights Front for the public assembly).

27 RCs and 33 NCs were received in relation to the events on 12 June.

(c) *1 July 2019: Vandalisation of the LegCo Complex*

The police tactics of deploying officers to guard inside the LegCo Complex proved to be ineffective in ensuring the integrity of the building, resulting in serious damage to the interior and the facilities. Had the Police taken precautions to contain and protect the LegCo Complex, such as setting up stronger barriers, the protesters' breaking in and vandalising might well have been avoided. Moreover, the Police would not have been accused of having run a scam or dubbed "empty city strategy (空城計)" to allow the vandalism in order to reverse public opinion. For the accusation of a scam, one might ask what would the Police gain by deliberately failing in their prime objective of protecting the LegCo Complex as stated in the Operational Order of Operation TIDERIDER, in exchange for the uncertainty of changing public opinion.

It is noteworthy that no RC has been received referring to this accusation. Nor have those who made this accusation offered any evidence for it.

(d) *21 July 2019: Yuen Long Incident*

This incident has attracted the largest number of complaints, 53 RCs and 19 NCs.

This incident has also attracted the most public discussion, as well as the most insidious internet hate messages against the Police.

From information available for the Study, the IPCC did identify deficiencies in Police deployment and other Police action in response to the events. These deficiencies have given rise to allegations of Police collusion with triads. The accusations started on the internet and went viral. Insidious hate messages against the Police, calling them "black cops", began riding the tide. However, none of the accusatory message on the internet or elsewhere of Police collusion with triads was accompanied by evidence. This is a serious accusation which requires serious evidence but none has been offered, despite our best efforts in searching publicly available sources. The Commissioner has publicly stated at press conferences that he has no evidence of his officers colluding with triads. The Police had arrested persons suspected of having assaulted people in black outfits on the night of 21 July. These actions are inconsistent with collusion. The hate messages on the internet, labelling the entire Police Force, "black cops" are clearly not justified.

This incident, arguably the incident which most affected public opinion, is detailed in Chapter 10.

(e) *11 August 2019: Kwai Fong and Tai Koo Stations Incident*

While the Police should review their policies on firing of tear gas into an MTR station or an area not entirely enclosed or open, findings in the Study indicate that the MTR had by then announced clearing of the station, that most protesters wore respirators and that the station was only partially enclosed. The use of tear gas did achieve the purpose of dispersing the violent protesters who had refused to leave the station, thus avoiding physical confrontation and possible casualties.

In the incident in Tai Koo Station, the pepper ball rounds should not have been aimed at or hit protesters above the shoulder. The IPCC has therefore made recommendations on this. It is noted that protesters used MTR lines to mobilise themselves to different places and even to evade arrest by adopting urban guerrilla tactics. The incident also calls for review by the Police for clearer instructions on enforcement action in different operational situations and indoor public spaces such as MTR stations.

Four RCs and five NCs have been received in relation to the events at Kwai Fong and Tai Koo Stations.

(f) *31 August 2019: Prince Edward Station Incident*

One RC and eight NCs have been received in relation to this Incident.

This incident was also among the most publicly discussed and spawned hate messages against the Police on a par with the Yuen Long Incident.

A scene familiar to the public (because widely broadcast by the media) is that of the Police using force against passengers in an MTR train compartment. This oft-repeated video, however, does not show the whole picture. Moreover, news footage showed many protesters changing their clothes to disguise themselves as passengers.

The Police had to close the station so that the protesters could not escape. That operation resulted in many arrests and a number of injuries. When ambulance officers arrived, they were allowed entry after some 14-16 minutes.

There is clearly a need for better communication between the Police and Fire Services Department (FSD) in a major incident like this. The subsequent reporting of injured persons gave rise to allegations of killing by the Police, although no evidence whatsoever has been put forward by the accusers.

Lessons Learnt

16.32 These incidents studied offer lessons for the Police to review their role in the maintenance of law and order and to improve their strategy for action amidst protests. In this connection, the IPCC has set out observations in relevant chapters of this Study. From these observations, the IPCC has made 52 recommendations, collated at Annex to this chapter for ready reference. The objective is to assist the Commissioner in his review of tactics and strategy.

16.33 The recommendations should be read and understood in the context of the chapter where they were made. They all focus on how public order policing might be improved and fall within the following themes:

(a) Assessment of Risk

The Three-pronged Doctrine of Public Order Policy

The IPCC notes the Commissioner's three-pronged doctrine:

(1) Prevent the preventable,
(2) Manage what is not preventable; and
(3) Engage the unacceptable in the management of major public order events.

For effective application of this doctrine, the Police Force must formulate new strategic directions and equip itself with physical and technological resources, adequate and ready to confront the challenge of multiple city-wide guerrilla-type attacks aided by advance technology and accompanied by violence and vandalism verging on terrorism.

An Assessment of Community Life Exposed to Risk of Violence

We understand that the Commissioner has already taken a risk-based approach in his law enforcement objectives. The Police Force (in conjunction with the Government) should make an in-depth analysis of the potential risk to community life which could be disrupted by the kind of protests experienced in the past months. Only then could the community be forewarned and protected. Only then would the public feel safe and secure to put their faith and their trust in the Police.

(b) Reviewing guidelines for use of force and training of officers

Review of Guidelines to Include Scenarios

The extensive guidelines for the use of force are by and large on par with international guidelines but there are areas for improvement, particularly where the Police encounters violence and even risk of a potentially lethal nature. Examples of scenarios, validated by legal advice, would be helpful for front-line officers. These recommendations are elaborated upon in Chapter 6.

Use of Tear Gas

The Study highlights the extensive use of tear gas in the past months. In Chapter 6, a recommendation is to set up an expert committee comprising medical and scientific experts to advise the Police Force. The object is to ensure that the current and future

stocks of tear gas and OC Foam come within acceptable toxicological limits for use in Hong Kong streets. In Chapter 11, recommendations are made that the Police should enhance the provisions and guidelines on the use of tear gas in the densely populated urban setting of Hong Kong.

Need to Review Training in Public Order Policing and Accreditation

Public order policing must be reviewed for further clarification of levels of command, setting qualifications for training and periodic accreditation of officers at rank and file and command levels. This will require a review of current training practices.

Training to Include Better Use and Dissemination of Intelligence, Real-time Monitoring of Public Order Events, Timely Action to Prevent Escalation

Review of training should take reference from some of the negative publicity in relation to the events. In the Yuen Long Incident, for example, if early intelligence and real-time monitoring of the internet had been followed up for timely intervention in the afternoon of 21 July 2019 when persons in white congregated, the fights in the MTR station might well have been prevented.

Maintaining Professionalism of the Force

From the survey of police officers summarised in Chapter 15, the IPCC notes that despite the pressures from work and with the doxxing of them and their family members, members of the Police Force have maintained their own sense of worth and sense of professionalism. The IPCC believes that this survey would help the Commissioner to further hone his training policies and the support which the Police Force offers to its officers. It is heartening that almost all officers are conscious of the need to allow peaceful protest to take place and the need for restraint when due. This is a firm basis to improve the Police use of force guidelines and the training of police officers.

Need for Better Co-ordination with Operational Partners

Another key aspect of training is more effective co-ordination with other bodies, notably the FSD, to work closely with the Police during POEs.

(c) Need for Better Technological Capacity

Need to Recognise Power of the Internet

Chapter 4 gives an account of the power of technology in convening and propelling the protests, as well as its influence on opinion formation and promotion. (Annex 3 to Chapter 4). There was also at least one App which informs protesters of police mobilisation on a real-time basis.

Need to Review Use of Internet for Intelligence and Real-time Operations

While protesters have been quick and slick with the use of technology, the Police is slow in monitoring their activities. Opportunities for preventing protests were lost. As an example, had the Police monitored the internet on a real-time basis, it would have known that the gathering of white-shirted persons in the streets of Yuen Long had been the subject of much criticism of Police inaction on the internet that afternoon. If action had been taken then to disperse the crowd dressed in white or if their movements were monitored, the subsequent fights might have been prevented.

(d) Need for Timely and Effective Communications

Power of Internet for Communications of Ideas

From the incidents studied, it can be readily seen that the internet was used not only for convening protests and tracking police mobilisation but also for inciting violence and spreading of hatred against the Police.

The Police Force Needs a Communication Strategy Geared to a Highly Dynamic Situation and Tapping into Community Channels

The Police could have been more effective in initial communications in some incidents, particularly that in Yuen Long. It would have preempted or at least reduced the intensity and volume subsequent messages of hate for the Police.

The Police needs to fashion a communication platform which strongly taps into the internet in addition to the present methodologies employed by the Police Public Relations Branch (PPRB). The use of community channels should also be explored, including owners' corporations, mutual aid committees, property management agents, telecom service providers for quick and effective communications. If a large-scale protest were convened through the internet and tear gas might be used, then early

warning could be given to parties likely to be affected.

(e) Co-ordination with Electronic and Print Media

The IPCC notes that the largest group of complainants against the Police are reporters, some of whom were in harm's way while covering the events of the past months. When the reporters performed news coverage of Police action in response to violent protests, their presence and sometimes even right in front of police cordon lines might on occasions impede police officers in discharging their duties. There have also been cases, in which fake press cards were found by the Police when conducting operations. The IPCC has recommended that the Police in consultation with representative media groups work out a Code of Practice for cooperation during POEs. The media has to accept that public protests with violence are dangerous and acknowledge that the public is entitled to news with balance of facts. The Police has to appreciate that the media has a duty to report and the public a right to know the situation on the ground.

(f) Systems Fit for Purpose

The Study found the 999 systems to have been inundated on the night of 21 July 2019. This event could well be repeated in future. The study shows that San Uk Ling Holding Centre was not suitable for detention of mass arrests and that in future, such centres should be properly equipped. Both instances point to the need for ensuring systems and facilities be fit for their intended purposes.

(g) Legal Advisers Office

The IPCC believes that the Commissioner should have readily available legal advice and assistance in-house. This would help expedite review of guidelines and provide legal validation for policies, procedures and practices. Most police forces in other jurisdictions have such an office. Prosecutorial work remains with the Department of Justice.

(h) Maintaining Public Trust

Chapter 15 summarises the perceptions of protesters and the public towards the Police in the past months, by surveys conducted by independent academics. Such perceptions are invariably affected by the messages in the media and on the internet. They will also change with time. It will be important for the Police Force to restore and rebuild public trust. The IPCC's recommendations are designed to support the

Police in this.

Partnership with Private Bodies

16.34 Partnership between the private and public sectors has been popular in infrastructure projects. A similar approach should be explored for the security and protection of the community. Protocols could be worked out for Public-Private Participation for protection of community life and property.

The Complaints System

16.35 By law, police officers are personally accountable for any use of force outside the law and the guidelines of the Police Force. The complaints system is designed to enable the public to bring any infraction of law or discipline to the attention of the Commissioner through CAPO and it is the statutory function of the IPCC to monitor and review the investigation of all RCs. Any officer found to be guilty of an infraction will be subject to disciplinary or judicial processes.

16.36 This Study does not deal with matters of individual officer's accountability for over-stepping the law or for insufficient supervision in specific cases. They are for the complaints system and the system of supervision within the Police Force.

16.37 Chapter 5 deals with the complaints received up to end of February. The information collected in this Study assists in viewing the cases in broader perspective when monitoring and reviewing CAPO investigations come to hand. CAPO has up to 29 February 2020, received 542 RCs and 1 099 NCs. The statutory function of the IPCC is to monitor and review the RCs. The NCs, though they are made by third parties (namely, persons not directly affected), are followed up by the CAPO to enhance service quality and supervision within the Police Force.

16.38 Of the 542 RCs, there were 96 allegations of "Assault", against police officers. Of these, 83 were made by arrested persons, four by reporters and the remaining nine by other persons. The complaints by arrested persons have been listed as "Sub-Judice" as the arrestees will in due course face trial and the facts surrounding their complaints would become part of the evidence at trial. The cases of these arrested persons continue to be part of the prosecution process to bring them to trial in the Courts. The IPCC will seek a report of the trial in each case to perform its monitoring duty. In any event, in each RC, the IPCC will follow up to ensure that the full facts of the complaints are accurately reported and interviews of complainants and police officers as well as the collection of evidence at the sites where the complaint occurred are observed by one of the IPCC's 120 Observers.

The Commissioner's Supervisory Powers

16.39 The events in the past months must be the most photographed and video-recorded in volume and in detail in the history of Hong Kong to date. Where no complaints have been made but there is evidence on reliable video footage or other reliable sources to show overstepping the mark in the use of force, the Commissioner would be expected to put his house in order.

16.40 The Police Force has a system of supervision which it has honed over its 175 years of history. The IPCC is confident that the Commissioner is aware of the challenges the Police Force continues to face. The IPCC hopes that the recommendations made in this Report will assist the Commissioner in meeting these challenges.

Scope and Limitations of this Report

16.41 While this Report does not deal with specific complaints or individual officers, the facts collated from multiple sources do facilitate a fairly clear view of the conduct and tactics of the key players in confrontation: notably the protesters, mostly in black, other participants in white and the Police.

16.42 In the course of this Study, the IPCC has had considerable support from all who have given information, in response to the public appeal or by specific request. There have been public comments that if the IPCC had the capability to call for evidence direct, that it could have achieved more. These are matters for the public discussion in the future. The IPCC meanwhile works within the limitations of the IPCC Ordinance.

16.43 Despite limitations, this Report offers a broad perspective the IPCC can use in reviewing the RCs that have been lodged, and in making recommendations to the Commissioner. It is also hoped that these findings may help show the way to the Administration going forward.

Acknowledgments

16.44 The IPCC thanks members of the International Expert Panel for their advice and guidance in the initial stages of this Study. They provided useful literature to the Special Task Force for reference in this Study. Sir Denis O'Connor was unstinting in sharing his experience as a former senior police officer and the author of seminal studies on Police Forces in the United Kingdom. The IPCC is grateful to them for their support and contribution. It must be stressed that their role had been purely advisory. The IPCC takes full responsibility for this Study.

16.45 The IPCC is grateful to the Commissioner and his staff for providing information and responses. Other bodies, such as the FSD, the Hospital Authority and the MTR Corporation Limited have provided information within the limitations imposed on them by law. The IPCC thanks them all for their assistance.

16.46 This Study has been one of the most difficult tasks which the Secretariat has encountered and performed in the history of the IPCC. That it has been completed within a relatively short time-frame and in such detail is a tribute to the dedication to all members of the Secretariat. The IPCC would like to record its appreciation for their contribution.

Concluding Observations

16.47 The protests of the last ten months have metamorphasised from initial peaceful processions and public meetings to extreme forms of violent protests in the streets, resulting in destruction of public and private property, disruption of our transport infrastructure, and serious injury (and in one case death) of many citizens holding different views to those of the protesters. From recent seizures of assault rifles, hand guns and ammunition, and materials for bomb making, it seems that our community is being dragged into an era of terrorism. It is the duty of the Police Force to keep the peace and maintain law and order, in protection of all. Under the violence they had to face in performance of their duty, the Police had found it necessary to resort on occasions to the use of force. It is hoped that this Study will enable better understanding of the role of the Police in the face of such violence and their accountability under the law.

16.48 Finally, it is plain for all to see, that the violence accompanying the protests of the last ten months had brought Hong Kong's economy to a precipitous state. The COVID-19 epidemic has deepened our economic woes. The image of the Police has lost its lustre and the city of Hong Kong has lost its hard-earned reputation as a peaceful city. Most disheartening, too, is the psychological trauma the violence has wrought, particularly on the minds of young people. Still, the people of Hong Kong have surmounted numerous difficulties of the past by their resilience and capacity for revival. With the outbreak of COVID-19, acts of kindness and community co-operation – conspicuously absent during the months of violence – have resurfaced. Hong Kong remains a community that cares and together we can create a brighter, better future for all.

The Independent Police Complaints Council

May 2020

ANNEX

IPCC'S RECOMMENDATIONS

Chapter	Recommendations
Chapter 6	Police Use of Force in Public Order Policing (1) Develop scenario-based guidelines with support by legal advice, similar in concept to those recommended by the Her Majesty's Inspectorate of Constabulary, to supplement the use of force guidelines now in existence in Police General Orders and Force Procedures Manual. (2) Include in all training upon development of these supplemental guidelines. Consideration should be given to whether the operational command structure in public order events (POEs) needs to be further formalised, and whether there should be an accreditation system to ensure that officers are up to date on protest and policing techniques. (3) Allied with the review of guidelines and operational command structure, ensure that clear guidelines are given to commanders at all levels of their accountability to ensure that those under their command do adhere to Force guidelines in the operational circumstances faced by them. (4) Ensure that the public understands the law on the use of force and how it is applied by the Police Force. The results of this review should be published and that the Police Force policies and procedures on the use of force, be part of continuing public education on the role played by the Police in maintaining law and order. (5) Consider to have own legal capability within the Police, either departmentally or by full-time secondment from the Civil Division of the Department of Justice. (6) Appoint an expert committee comprising medical and scientific experts to advise the Police Force that current and future stocks of tear gas come within acceptable toxicological limits for use in Hong Kong streets. (7) Review current practices and procedures for the use of tear gas in public order situations, specifying situations in which it should not be used, and if used, the conditions under which it may be used.

Chapter	Recommendations
Chapter 7	Incident Day – Sunday 9 June 2019 (8) Review how best to ensure individual officers strictly follow the guidelines on the use of force, including revising the training regime for meeting situations similar to recent events. (9) Review the need for engaging media representatives to draw up a Code of Practice for meeting both Police and media interests in their respective duties to the community and for ensuring safety of all concerned. (10) Establish at the senior management level a procedure for monitoring and reviewing the progress of a procession in order to proactively decide whether, or not, to open further road(s) for a procession. In particular, the Police should review their counting methodology to facilitate making prompt decisions on which road(s) should be opened taking into sufficient account of the changes in the number of participants as the procession progresses and develops.
Chapter 8	Incident Day – Wednesday 12 June 2019 (11) Review the use of tear gas during the CITIC Tower Incident, including assessment before and during its continuing use, the coordination among Headquarters Command and Control Centre and with frontline officers, the communication between the Police and the assembly organiser and participants, the accessibility of an escape route and the possibility of alternative tactics for future deployment. (12) When there is an ongoing assembly with Letter of No Objection, liaise with the assembly organiser to curtail the assembly when necessary. The Police should give sufficient time and instructions to the assembly organiser and participants to curtail the assembly and leave the assembly location via a viable escape route. (13) Deploy liaison officer(s) close to the assembly site to facilitate instant communication with the assembly organiser. (14) To minimise the possible risk during dispersal action, review how to enhance coordination among different teams if the Police consider it

Chapter	Recommendations
	necessary to use irritant agent devices and less-lethal weapons when and where an assembly is ongoing with a large number of participants. (15) Include in the internal guidelines what action frontline officers can take when a situation is declared as a "riot", how to differentiate rioters from non-rioters and what level of force and weapons to be used in a riot situation. (16) Devise clear guidelines on riots and consider informing the public of the purpose, criteria and procedure of declaring a situation as a riot. When making a public announcement about a situation being a riot, the Police should clearly explain the purpose and reason for the declaration to minimise misunderstanding or speculation. This enhances transparency and prevents members of the public from participating in a riot unknowingly. (17) Review the ability to collect, assess and apply the intelligence received since 9 June on the early and large turnout of protesters as well as their violent approach, and draw reference to enhance the ability to collect, assess and apply intelligence in the future. (18) Review the events of 12 June and consider whether the preparation and subsequent action for defending Central Government Complex and Legislative Council (LegCo) Complex could have been adjusted to minimise confrontation with protesters and should review whether less confrontational strategies such as prior containment could be adopted in future operations for protecting public property such as LegCo Complex. (19) Review the ability to mobilise and allocate manpower to deal with multiple clashes at different spots in a large-scale POE. (20) Better utilise water-filled barriers (about 2 metres high) which are higher and stronger than mills barriers to reinforce police cordon lines and minimise clashes between frontline Police officers and violent protesters.

Chapter	Recommendations
Chapter 9	Incident Day – Monday 1 July 2019 (21) Review the Police ability to mobilise and allocate manpower to deal with several major POEs simultaneously. (22) Review the Police ability for timely assessment (including ability to collect intelligence) and identification of potentially risky targets including those of symbolic or strategic importance to the HKSAR in the light of possible escalation of violent protests. (23) Review the Police ability to assess risk (including identification and evaluation of potential vulnerability) and identify risk mitigation of each major potential target. (24) Review risk mitigation measures identified for each target at risk and regularly review in the light of changing circumstances. (25) Review the strategic effectiveness of setting up cordon lines inside the LegCo Complex as opposed to outside the Complex. (26) Review the general tactics to lessen confrontation, where protection of targets at risk are concerned.
Chapter 10	Incident Day – Sunday 21 July 2019 (27) Review Police procedures, strategy and manpower deployment when having to handle two or more major operations at the same time, particularly in the collection and collation of timely intelligence (including the monitoring of social and other media) for sharing and for better communications and coordination at all levels of the Force command structure for more effective allocation of resources on the ground in such situations. (28) Review the strategy and manpower deployment on the night of 21 July and in the early hours of 22 July for lessons to be learnt. (29) Review Force Media Relations Strategy to ensure timely and accurate information for the press on incidents and staff taking stand-up interviews

Chapter	Recommendations
	should be trained to project an image of care for public safety and impartiality in law enforcement, including reviewing and enhancing the training for senior officers in answering media questions at the scene, giving stand-up briefings, attending press interviews and press conferences. (30) Review Force Public and Community Relations Strategy in the light of the widespread use of the internet to turn Police action into allegations of misconduct in order to stir up resentment to drive further protest. (31) Review and rectify the deficiency in the Police 999 Console to cope with extreme stress such as that encountered on the night of 21 July to see what remedial measures are required. (32) Review localities likely to have continuing risks of confrontation such as those encountered in Yuen Long and prepare contingency plans for dealing with such confrontation, bearing in mind the issues encountered in Yuen Long on 21 July, the lessons learnt, and the recommendations above.
Chapter 11	<u>Incident Day – Sunday 11 August 2019</u> (33) Review the operational plans for occasion of POEs involving breach of peace and violent acts of protesters, in particular the strategies, gear and weapons for officers to quell disorder. (34) Enhance the provisions and guidelines on the use of tear gas in the urban populated setting of Hong Kong, in particular giving clear guidelines on the factors police officers should take into account when making assessment on the physical environment, degree of ventilation and the circumstances in considering the use of tear gas, making reference to international standards and manufacturers' rules. (35) Devise clear guidelines on the use of pepper ball launcher, including the suitable range and target area of the body, and take into consideration of manufacturers' safety guidelines and warnings on under what circumstances pepper ball launchers should or should not be used.

Chapter	Recommendations
	(36) Devise scenario-based practical training for officers on the use of tear gas, pepper ball launchers and other police weapons, including periodic accreditation of officers on the use of force in handling protests. (37) Devise scenario-based exercises in the training of officers on tactics to be used in handling POEs in different urban settings, in particular MTR stations and enclosed-areas with many people. (38) Delineate the role of command and frontline officers on their accountability in the use of force in different scenarios. (39) Devise means to enhance communications with the public on the intention to use force and related precautionary measures. (40) Strengthen and refine the relevant protocols, guidelines and training manuals for clearer advice to officers and the public.
Chapter 12	<u>Incident Day – Saturday 31 August 2019</u> (41) Review Police strategy on taking enforcement action that involve making a large number of individual arrests with the use of force. (42) Review Police strategy on taking enforcement action inside MTR stations or premises crowded with people. (43) Review the coordination among Police themselves and with other departments in major operations, especially where closure of entrances to a premises is involved, and devise procedures and clarify the chain of command to facilitate efficient communication and coordination work. (44) Devise means to enhance communications with the public about enforcement action that the Police has taken or is taking to increase transparency of Police work and to prevent unnecessary, unfounded or malicious speculations and rumours. In this regard, there should be more publicity and public education on Police procedures and practices for dealing with missing persons and death in Hong Kong.

Chapter	Recommendations
	(45) Given the increase in the use and popularity of social media, enhance the ability of the responsible teams in the Police to monitor the social media and devise procedures and protocols to deal with public concerns and untrue or malicious messages promptly and effectively by using the same media to propagate rebuttal. (46) Review how to facilitate the work of reporters in a major operation without causing undue hindrance to Police enforcement action. (47) Review the mechanism for the Police to disseminate information to the public to enhance transparency, for instance, Police Public Relations Branch to make timely announcement and update to the public on the situation inside Prince Edward Station to ease public concern and quash speculations or rumours. (48) Review the protocols for taking the lead to organise press conferences with other departments or institutions.
Chapter 14	<u>Detention Arrangement at San Uk Ling Holding Centre</u> (49) Review riot control manpower requirements with a view to strengthening the logistical and manpower deployments to deal with arrested persons (APs) during large-scale POEs. This review should consider whether current guidance be sufficiently clear to ensure the attainment of the dual objectives of maintaining law and order and bringing offenders to justice while respecting their rights. This review should also consider whether the Police Force need augmentation in training, manpower and technology. (50) As to manning a Temporary Holding Area (THA), allocate more manpower resources to ensure the effective and efficient discharge of the Police administrative work in handling a large number of APs at the same time. (51) Implement enhancements such as sufficient space and facilities with computerised audit trail functions soonest possible in all police stations. If a place outside a police station is used as a THA in future, then such THA should have equivalent facilities as those in police stations.

Chapter	Recommendations
	(52) Consider identifying less remote sites as THAs in case such need arises in future. The location should also take into account the availability of hospitals and ambulance depots within reasonable distance.

GLOSSARY

Abbreviation	Term / Phrase in Full
Airport	Hong Kong International Airport
Anti-mask Law	Prohibition on Face Covering Regulation *(Cap. 241K, Laws of Hong Kong)*
AP	arrested person
APP	Authorised Professional Practice
App	application
ATM	automated teller machine
BBC	British Broadcasting Corporation
C&IIB	Complaints & Internal Investigations Branch
CA	Court of Appeal
Cable TV	Hong Kong Cable Television Limited
CAPO	Complaints Against Police Office
CBE	Commander of the Most Excellent Order of the British Empire
CCPOS	Centre for Communication and Public Opinion Survey
CCTV	closed circuit television
CGC	Central Government Complex
CGO	Central Government Offices
Chief Executive	Chief Executive of the Hong Kong Special Administrative Region
CHP	Centre for Health Protection
CHRF	Civil Human Rights Front
CIP	Chief Inspector of Police
CityU	City University of Hong Kong
CNN	Cable News Network
Commissioner	Commissioner of Police

Abbreviation	Term / Phrase in Full
COT, COM, and COC	Committees on Toxicity, Mutagenicity and Carcinogenicity of Chemicals in Food, Consumer Products and the Environment
Council	*see IPCC below*
COVID-19	Coronavirus Disease 2019
CRM YL HQ Team	Crime Yuen Long Headquarters Team
CRT	Crime Response Team
CS	Chief Secretary for Administration
CUHK	The Chinese University of Hong Kong
DO	Duty Officer
DOR/YL	District Operations Room/Yuen Long
DVD	digital video disc
ECREE	Extraordinary Claims Require Extraordinary Evidence
EU	Emergency Unit
FCP	Forward Command Post
FMLC	Force Media Liaison Cadre
Force	*see HKPF below*
Force Continuum	Use of Force Continuum
FPM	Force Procedures Manual
FSD	Fire Services Department
Fugitive Offenders Bill ; Bill	Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill
Government	The Government of the Hong Kong Special Administrative Region
HA	Hospital Authority
HICOM	High Command
HKBU	Hong Kong Baptist University
HKCEC	Hong Kong Convention and Exhibition Centre
HKCFA	Hong Kong Court of Final Appeal

Abbreviation	Term / Phrase in Full
HKDI	Hong Kong Design Institute
HKID Card	Hong Kong Identity Card
HKJA	Hong Kong Journalists Association
HKPF ; Force; Police ; Police Force	Hong Kong Police Force
HKSAR	The Hong Kong Special Administrative Region
HKU	The University of Hong Kong
HKUST	The Hong Kong University of Science and Technology
HMIC	Her Majesty's Inspectorate of Constabulary
HQCCC	Headquarters Command and Control Centre
HSBC	The Hongkong and Shanghai Banking Corporation Limited
ICCPR	International Covenant on Civil and Political Rights
ID	identity
IEP	International Expert Panel
IFC	International Finance Centre
IPCC ; Council	Independent Police Complaints Council
IPCC Ordinance	Independent Police Complaints Council Ordinance *(Cap. 604, Laws of Hong Kong)*
IR	Informal Resolution
Legal Committee ; LC	Legal Committee of the Independent Police Complaints Council
LCC	Legislative Council Commission
LCQ	Legislative Council Question
LegCo	Legislative Council
LegCo Complex	Legislative Council Complex
LOCPG	The Liaison Office of the Central People's Government
LoNO	Letter of No Objection
MTR	Mass Transit Railway

Abbreviation	Term / Phrase in Full
MTR OP	MTR Operation Post
MTRC	MTR Corporation Limited
NATO	North Atlantic Treaty Organization
NC	Notifiable Complaint
NT	New Territories
NTN	New Territories North
NYPD	New York Police Department
Operations Advisory Committee ; OAC	Operations Advisory Committee of the Independent Police Complaints Council
OC	oleoresin capsicum
OCM	Occupy Movement
OCS	operational call signs
PAO	Probationary Ambulance Officer
PAVA	pelargonic acid vanillylamide
PCO	Police Communication Officer
PCRO	Police Community Relations Office
PFO	Police Force Ordinance *(Cap. 232, Laws of Hong Kong)*
PGO	Police General Orders
PHQ	Police Headquarters
POE	public order event
Police	*see HKPF above*
Police Force	*see HKPF above*
PolyU	The Hong Kong Polytechnic University
POO	Public Order Ordinance *(Cap. 245, Laws of Hong Kong)*
POOW	Possession of Offensive Weapons
PPRB	Police Public Relations Branch

Abbreviation	Term / Phrase in Full
Publicity and Survey Committee ; PSC	Publicity and Survey Committee of the Independent Police Complaints Council
PSU	Patrol Sub-unit
PTU	Police Tactical Unit
QC	Queen's Counsel
QPM	Queen's Police Medal
QRT	Quick Response Team
RC	Reportable Complaint
RCCC NT	Regional Command and Control Centre of New Territories
Report	Report of the Thematic Study
RPSFS	Rikspolisstyrelsens författningssamling (Statute Book of the Swedish National Police Board)
RRC	Regional Response Contingents
RTHK	Radio Television Hong Kong
S for S	Secretary for Security
Serious Complaints Committee ; SCC	Serious Complaints Committee of the Independent Police Complaints Council
SCMP	South China Morning Post
SCMV	Specialised Crowd Management Vehicle
SPT	Spotter Team
STC	Special Tactical Contingent
Study	Thematic Study
SULHC	San Uk Ling Holding Centre
TFSG	Task Force Steering Group
THA	Temporary Holding Area
TVB	Television Broadcasts Limited
UCL	University College London
UI	unique identification

Abbreviation	Term / Phrase in Full
UK	United Kingdom
UN	United Nations
US	United States
VRI	video-recording interviews
VTC	Vocational Training Council
YTDIST	Yau Tsim District

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